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Vol. 86

No. 1

Monday, January 7, 1991

Tuesday, January 8, 1991

Wednesday, January 9, 1991

# **Journal of Proceedings Board of Supervisors**

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, January 7, 1991 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Harry G. Britt, the meeting was called to order at 2:05 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Nelder, Walker - 6.

Noted absent at first roll call:

Supervisors Britt, Hongisto, Kennedy, Maher, Ward - 5.

Quorum present.

Supervisor Britt excused, (See infra.)

Supervisor Hongisto was noted present at 2:14 p.m.

Supervisor Kennedy was noted present at 2:11 p.m.

Supervisor Maher was noted present at 2:07 p.m.

Supervisor Ward was noted present at 2:18 p.m.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Nelder, seconded by Supervisor Walker, moved that Supervisor Alioto be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Nelder, Walker - 6.

Absent: Supervisors Britt, Hongisto, Kennedy, Maher, Ward - 5.

Supervisor Alioto thereupon assumed the Chair.

Monday, January 7, 1991

Supervisor Britt Excused

The Clerk announced that President Britt requested to be excused from attending today's meeting.

Supervisor Walker, seconded by Supervisor Nelder, moved to excuse Supervisor Britt.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Nelder, Walker - 6.

Absent: Supervisors Britt, Hongisto, Kennedy, Maher, Ward - 5.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Walker, seconded by Supervisor Maher, moved that the Journal of Proceedings for Monday, June 25, 1990 be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Britt, Hongisto, Ward - 3.

Remarks From Mayor Concerning Three Departing Supervisors

Mayor Art Agnos appeared and gave a brief message expressing the City's gratitude and appreciation for the combined 31 years of public service beginning on January 8, 1980 with Supervisor Nancy G. Walker and later joined by Supervisors Richard Hongisto and Wendy Nelder.

The Mayor reviewed some of the unprecedented legislation enacted by this Board during their tenure; such as, high rise development fee for child care, affordable housing, transit, open space and public art; neighborhood re-zoning ordinance, South of Market zoning matters, comparable worth, minority business/women business/local business enterprise ordinance, curbs, domestic partners,, residential hotel ordinance, children amendment, and video display terminal legislation, Office of Citizens Complaints, limits on condominium conversion, and the landmark smoking law by Supervisor Nelder, creation of health commission by Supervisor Walker and preservation of housing in the Richmond/Sunset Districts by Supervisor Hongisto.

Mayor Agnos commended Supervisors Walker, Hongisto and Nelder for their success in fulfilling their oath of office and presented each one with a key to the City.

Monday, January 7, 1991

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$24,766, Chief Administrative Officer, for professional and special services, other services, material and supplies, services of other departments - Tax Collector, services of other departments - Reproduction and services of other departments - City Mail Services; placing on reserve \$1,000 pending EIPSC approval as recommended by the Mayor's Office. (Controller)

File 101-90-33, Ordinance No. 15-91

Finally passed.

[Government Funding]

Ordinance appropriating \$658,386, Water Department, for temporary salaries, overtime, related mandatory fringe benefits, data processing/word processing professional services, vehicle rental, travel, postage, printing, other current services, forms, plumbing supplies, payment to other governments and services of other departments - miscellaneous departments, placing on reserve \$272,106 as recommended by the Mayor's Office. (Controller)

File 101-90-34, Ordinance No. 16-91

Finally passed.

Passed for Second Reading

[Cellular Telephone System Site, Lease Agreement]

Ordinance authorizing a negotiated lease agreement between the City and County and Bay Area Cellular Telephone Company for certain space located at the Southeast Water Pollution Control Plant at 1701 Jerrold Avenue. (Real Estate Department)

File 65-90-8, Ordinance No.

Passed for second reading.

[Lease Agreement - Pre-release Program]

Ordinance authorizing and approving lease of City-owned property located on First Floor, Room 116 of the Hall of Justice, 850 Bryant Street, to the Northern California Service League. (Real Estate Department)

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File 65-90-10, Ordinance No.

Passed for second reading.

[Lease Agreement - Children's Waiting Room]

Ordinance authorizing and approving lease of City-owned property located on First Floor, Room 106 of the Hall of Justice, 850 Bryant Street, to the Northern California Service League. (Real Estate Department)

File 65-90-11, Ordinance No.

Passed for second reading.

Adopted

[Employee Replacement]

Resolution approving immediate filling of a vacated position of Classification 0588 - Court Coordinator, Superior Court - Probate Court. (Superior Court)

File 31-90-10, Resolution No. 20-91

Adopted.

[Employee Replacement]

Resolution approving immediate filling of a vacated position of Classification 2230 Physician Specialist, Laguna Honda Hospital, Department of Public Health. (Department of Public Health)

File 31-90-13, Resolution No. 21-91

Adopted.

[Lease of Real Property]

Resolution authorizing extension and amendment of the lease for real property at 25 Fourteenth Street, portion of the 4th floor, for the Juvenile Probation Department. (Real Estate Department)

File 64-90-46, Resolution No. 23-91

Adopted.

[Lease of Real Property]

Resolution authorizing a new lease of real property at 3450 Third Street, Building A1, for the Department of Public Health, Family Support Program. (Real Estate Department)

File 64-90-47, Resolution No. 24-91

Adopted.

[Lease of Real Property]

Resolution authorizing two new leases of two separate office suites of real property at 1540 Market Street, Second Floor, for the Department of Public Health (AB75 Project and AB75 Health Education Program). (Real Estate Department)

File 64-90-48, Resolution No. 25-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Family Health Bureau, to apply for a grant of \$4,500,000 from the State Department of Alcohol and Drug Programs for expansion of services to alcohol and drug abusing pregnant and parenting women and their infants who are residents of San Francisco. (Mayor)

File 146-90-101, Resolution No. 41-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Public Library to apply for, accept and expend an amount not to exceed \$7,500 available through the Bay Area Library and Information System from the Library Services and Construction Act for Youth-At-Risk project. (Public Library Commission)

File 147-90-9, Resolution No. 47-91

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Leroy Francis Garrity against Carolyn M. Luksich, City and County by payment of \$50,000. (City Attorney)

File 45-90-54, Ordinance No. 5-91

(Superior Court No. 879-991.)

Finally passed.

Monday, January 7, 1991

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Laura Helm against the City and County by payment of \$35,000. (City Attorney)

File 45-90-55, Ordinance No. 6-91

(Superior Court No. 915-171.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Rolando Hernandez against the City and County by payment of \$8,000. (City Attorney)

File 45-90-56, Ordinance No. 7-91

(Municipal Court No. 036-708.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Kevin Carroll against the City and County by payment of \$8,500. (City Attorney)

File 45-90-57, Ordinance No. 8-91

(Superior Court No. 852-343.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Walter A. Young against the City and County by payment of \$121,500. (City Attorney)

File 45-90-58, Ordinance No. 9-91

(Superior Court No. 818-111.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of William Cochran versus Joanne Goettsche, et al., upon receipt of the sum of \$50,000; and dismissal of complaint. (City Attorney)

File 46-90-18, Ordinance No. 10-91

(Superior Court No. 916-966.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Daniel C. Knight versus Homer J. Olsen, Inc., et al., upon receipt of the sum of \$6,342.14 and release of lien. (City Attorney)

File 46-90-19, Ordinance No. 11-91

(Superior Court No. 870-238.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of the City and County versus Ibrahim Atieh, et al., upon receipt of the sum of \$7,500; and dismissal of complaint. (City Attorney)

File 46-90-20, Ordinance No. 12-91

(Municipal Court No. 047-618.)

Finally passed.

[Health Coverage for Former Supervisors]

Ordinance amending Administrative Code, to permit health coverage for former Supervisors, provided that they pay the full cost of such coverage. (Supervisor Britt)

File 97-90-48, Ordinance No. 13-91

(Adds Section 16.906.)

Finally passed.

[Ratifying Civil Service Rule 22 Amendment]

Ordinance amending Administrative Code, by providing for the ratification of an amendment to Civil Service Rule 22, Leaves of Absence, expanding the persons for whom bereavement leave may be taken; and redefining the term "child". (Civil Service Commission)

File 97-90-60, Ordinance No. 14-91

(Amends Section 16.17.)

Finally passed.

Recommendations of Economic and Social Policy Committee

Adopted

Monday, January 7, 1991

[Taxi Zone]

Resolution establishing location of taxicab stand on Stockton Street. (Department of Parking and Traffic)

File 15-90-8, Resolution No. 16-91

(Taxicab Stand - Establish

Stockton Street, east side, from Pine Street to 85 feet north (85-foot zone).)

Adopted.

[Stop Intersections]

Resolution designating a Stop intersection at Rincon and Bryant Streets. (Department of Parking and Traffic)

File 18-90-20, Resolution No. 17-91

(Stop Sign - Establish

Rincon and Bryant Streets, southeast corner, stopping northbound Rincon Street traffic (makes this a two-way Stop).)

Adopted.

[Parking Regulations]

Resolution enacting and rescinding parking regulations, various streets. (Department of Parking and Traffic)

File 19-90-16, Resolution No. 18-91

(No Parking Anytime - Rescind

Mabini Street, east side, between Bonifacio and Folsom Streets.

No Parking Anytime, Except Tour Buses - Establish

Stockton Street, east side, from 125 to 190 feet north of Pine Street (65-foot zone).

Tow-Away, No Parking Anytime - Establish

Julius Street, both sides, from Lombard north, to and including the dead-end portion;

Presidio Avenue, west side, from Euclid Avenue to 79 feet south (79-foot zone).

2-Hour Parking Limit, 7:00 A.M. to 6:00 P.M., Monday Through Friday - Establish

Kansas Street, west side, from 108 feet south of Sixteenth Street to Seventeenth Street.

2-Hour Parking Limit, 7:00 A.M. to 6:00 P.M., Monday Through Saturday - Establish

Bonifacio Street, south side, between Lapu Lapu and Tandang Sora Streets;



Rizal Street, north side, between Lapu Lapu and Tandang Sora Streets;

Lapu Lapu Street, both sides, between Bonifacio and Rizal Streets;

Tandang Sora Street, both sides, between Bonifacio and Rizal Streets.)

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations, various streets. (Department of Parking and Traffic)

File 20-90-16, Resolution No. 19-91

(Midblock Crosswalk - Rescind

Parker Avenue, approximately 50 feet north of McAllister Street.

Tow-Away, No Stopping Anytime - Establish

Fifth Street, west side, from Howard Street to 80 feet southerly (80-foot zone).

No Left Turn - Establish

Sixth Street, northbound, at Mission Street.

One-Way Street - Establish

Bache Street, southbound, from Crescent Avenue to Benton Street.

Right Lane Must Turn Right - Establish

Stockton Street, northbound, at California Street.

No Left Turn - Establish

California Street, westbound, at Stockton Street.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker - 8.

Absent: Supervisors Britt, Hongisto, Ward - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Monday, January 7, 1991

From the Clerk

Adopted

[Findings - Parcel Map]

Motion adopting findings related to appeal of the decision of the Director of Public Works, approving parcel map for a proposed subdivision of one lot into four lots in Assessor's Block 2719B, Lot 57, located at 190 Graystone Terrace.

File 59-90-2.4

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 9.

Absent: Supervisors Britt, Hongisto - 2.

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$671,399 for travel, training, membership dues, entertainment and promotion, rescinding \$19,597 from permanent salaries - uniform and \$18,617 from mandatory fringe benefits, Fire Department, \$3,445 from materials and supplies \$20,130 from equipment purchase and \$13,800 from data processing/word processing equipment, Public Library and \$121,460 from interdepartmental recovery, Purchasing, and Controller-ISD, various departments for fiscal year 1990-91; subject of previous budgetary denial. (Controller)

File 101-90-30, Ordinance No. 4-91

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.

Consideration Continued

(Supervisor Maher dissenting in Committee.)

[Municipalization of PG&E]

Resolution urging the Mayor to include an appropriation of funds in the fiscal year 1991-92 budget for the purpose of funding a feasibility study of the municipalization of Pacific Gas and Electric facilities and services. (Supervisor Hallinan)

File 100-90-14, Resolution No.

Supervisor Hallinan, seconded by Supervisor Gonzalez, moved to continue consideration to January 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Walker, Ward - 8.

Noes: Supervisors Maher, Nelder - 2.

Absent: Supervisor Britt - 1.

Adopted

[Marine Terminal Agreement]

Resolution approving second amendment to Marine Terminal Agreement between Nedlloyd Lines and the City and County. (Port Commission)

File 172-90-25.1, Resolution No. 53-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker - 8.

Absent: Supervisors Britt, Nelder, Ward - 3.

Recommendation of Administration and Oversight Committee

Amended; Tabled as Amended

[Settlement of Lawsuit]

Ordinance authorizing settlement of San Francisco versus the Olympic Club, et al., upon certain terms and conditions. (Supervisor Britt)

File 46-90-21, Ordinance No.

(Superior Court Nos. 883-604 and 902-646.)

Supervisor Hallinan, seconded by Supervisor Hongisto, moved to waive the confidentiality of attorney-client privilege.

Motion refused adoption by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh - 5.

Noes: Supervisors Kennedy, Maher, Walker, Ward - 4.

Absent: Supervisors Britt, Nelder - 2.

Monday, January 7, 1991

Supervisor Hongisto, seconded by Supervisor Maher, moved to amend page one, between lines 19 and 20, by inserting the following new language and renumbering the remaining items:

"3. The Olympic Club shall amend its By-Laws to eliminate all discrimination on account of any human characteristic or attribute expressly protected by the San Francisco Human Rights Ordinance and any subsequent amendments to it thereof. The Olympic Club will agree to comply with all provisions of the San Francisco Human Rights Ordinance."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Supervisor Gonzalez, seconded by Supervisor Maher, moved to table.

Tabled as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 7.

Noes: Supervisors Walker, Ward - 2.

Absent: Supervisors Britt, Nelder - 2.

#### Recommendation of Economic and Social Policy Committee

Rereferred to Committee

(Supervisor Ward dissenting in Committee.)

(Supervisors Alioto and Hongisto excused from voting;  
See Journal of Proceedings dated October 15, 1990.)

#### [Condominium Conversions]

Ordinance amending Subdivision Code, to create the tenant home ownership opportunity program of 1990, to exempt from the conversion limitations of Section 1396 for the period from the effective date of this ordinance through December 1992 the conversion of 1000 units in apartment complexes of 25 to 200 units where two-thirds of the tenants agree to the conversion, making findings with respect to the exemption, and amending the Administrative Code to provide that a landlord may not evict tenants from units converted to condominiums under Subdivision Code Section 1396B on the grounds that the landlord or a relative desires to occupy the unit. (Supervisors Kennedy, Hsieh, Gonzalez, Maher)

File 126-90-1, Ordinance No.

(Amends Administrative Code Section 37.9;  
Amends Subdivision Code Section 1396;  
Adds Subdivision Code Section 1396B.)

(Categorically exempt from environmental review.)

Supervisor Kennedy, seconded by Supervisor Walker, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 7.

Excused: Supervisors Alioto, Hongisto - 2.

Absent: Supervisors Britt, Hallinan - 2.

### NEW BUSINESS

#### Recommendations of Finance Committee

##### Passed for Second Reading

###### [Government Funding]

Ordinance appropriating \$467,962, Sheriff Department, for temporary salaries, overtime, mandatory fringe benefits, other contractual services, uniforms and food preparation equipment. (Controller)

File 101-90-31, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

###### [Government Funding]

Ordinance appropriating \$18,883, Department of Agriculture, for equipment purchase, services of other departments - Police Security, and services of other departments - Department of Public Works - Street Cleaning. (Controller)

File 101-90-32, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.



Monday, January 7, 1991

[Government Funding]

Ordinance appropriating \$33,112, Municipal Railway, for training and membership dues for fiscal year 1990-91; subject to previous budgetary denial. (Controller)

File 101-90-35, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Government Funding]

Ordinance appropriating \$1,000,000, Department of Parking and Traffic, for capital improvement project (San Francisco General Hospital Parking Facility) for fiscal year 1990-91; placing \$1,000,000 on reserve. (Controller)

File 101-90-36, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Airport - Lease Modification]

Ordinance approving Modification No. 2 of Lease and Use Agreement between Pan American World Airways, Inc. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-90-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Airport - Lease Modification]

Ordinance approving Modification No. 9 of Lease and Use Agreement between United Air Lines, Inc. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-90-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Sale of City-owned Property]

Ordinance authorizing the sale of City-owned property (Public Utilities Commission/Municipal Railway Department, Lot 1 in Assessor's Block 2203 at the intersection of 14th Avenue and Quintara Street); and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 96-90-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Capital Improvement Advisory Committee - Membership]

Ordinance amending Administrative Code, regarding membership of the Capital Improvement Advisory Committee, by allowing appointments of permanent alternates. (Chief Administrative Officer/Capital Improvement Advisory Committee)

File 97-90-61, Ordinance No.

(Amends Section 3.06.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Filing Fee - Domestic Partnership]

Ordinance amending Administrative Code, to establish a filing fee of thirty-five dollars (\$35) for the filing of declarations of domestic partnership and amendments to declarations of domestic partnership. (Supervisor Britt)

File 97-90-62, Ordinance No.

(Adds Chapter 62, Sections 62.1 through 62.8.)

Monday, January 7, 1991

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Adopted

[Transit Advertising Agreement]

Resolution approving a six month extension, with appropriate modifications, of Transit Advertising Agreement between City and County of San Francisco, through its Public Utilities Commission, and Transportation Displays, Incorporated. (Public Utilities Commission)

File 7-90-12, Resolution No. 14-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Transit Shelters]

Resolution approving assignment of Advertising Transit Shelter Agreement to Combined Communications Corporation. (Public Utilities Commission)

File 7-90-13, Resolution No. 15-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - Federal through State - Release of Funds]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to expend grant FUNDS held in reserve up to the amount of \$215,365 from the United States Department of Health and Human Services/Alcohol, Drug and Mental Health Administration/Office for treatment improvement through the State of California, Department of Alcohol and Drug Programs, to enhance existing drug abuse treatment programs in order to provide services to critical populations. (Mayor)

File 146-90-73.1, Resolution No. 33-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Emergency Medical Services Agency, to apply for, accept and expend a grant of \$10,000 from the United Way of the Bay Area, to provide for additional funding for the project "Analysis of the Emergency Medical Services Response to the Loma Prieta Earthquake" for the residents of San Francisco; providing for ratification of action previously taken. (Mayor)

File 146-90-91, Resolution No. 34-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Family Health Bureau, to apply for a grant of \$214,284 from the State Department of Health Services, Maternal Child Health Branch, for services to improve Black infant health for the period of January 1, 1991 through June 30, 1993; providing for ratification of action previously taken. (Mayor)

File 146-90-93, Resolution No. 35-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Family Health Bureau, to accept and expend a grant of \$358,922 from California Family Planning Council, Inc, for family planning services to the residents of San Francisco; providing for ratification of action previously taken. (Mayor)

File 146-90-94, Resolution No. 36-91

Monday, January 7, 1991

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services, to accept and expend a grant augmentation of \$59,029 from the Federal Emergency Management Agency; providing for ratification of action previously taken. (Mayor)

File 146-90-95, Resolution No. 37-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for a grant of \$70,000 from the American Foundation for AIDS research for AIDS preventive education to high risk minority out-of-school youth. (Mayor)

File 146-90-96, Resolution No. 38-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for a grant of \$1,842,327 from the Office of Substance Abuse Prevention for a Perinatal Infant Addiction Treatment and Training Project to the residents of San Francisco; providing for ratification of action previously taken. (Mayor)

File 146-90-97, Resolution No. 39-91

Adopted by the following vote:



Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Forensic Youth Services (YGC) as a sub-grantee in collaboration with Catholic Charities of San Francisco, as prime grantee, to accept and expend a grant of \$28,574 from the Department of Health and Human Services, Office of Human Development Services, for primary care services, supplies and training for homeless youth; providing for ratification of action previously taken. (Mayor)

File 146-90-100, Resolution No. 40-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant not to exceed \$800,000 from the California Department of Health Services to fund a continuation of the AIDS Prevention and Education Project component of the 1991-92 Master Grant Agreement; providing for ratification of action previously taken. (Mayor)

File 146-90-102, Resolution No. 42-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of \$4,858,888, from the Department of Health and Human Services, Centers for Disease Control, to fund a continuation of the AIDS/HIV Prevention Project; providing for ratification of action previously taken. (Mayor)

File 146-90-103, Resolution No. 43-91

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Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of \$643,200 from the California Department of Health Services, to fund a continuation of the AIDS Pilot Care Project component of the 1991-92 Master Grant Agreement; providing for ratification of action previously taken. (Mayor)

File 146-90-104, Resolution No. 44-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of \$1,685,616 from the Department of Health and Human Services, Centers for Disease Control, to fund a continuation of the AIDS Surveillance Project; providing for ratification of action previously taken. (Mayor)

File 146-90-105, Resolution No. 45-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, as a sub sub-grantee of the sub-grantee, the Bayview-Hunters Point Foundation for Community Improvement, in collaboration with the prime grantee, the University of California of San Francisco, Institute for Health Policy, to accept and expend a grant from the Federal Alcohol and Drug Abuse and Mental Health Administration, National Institute on Drug Abuse, in the amount of \$49,135 for continued research and program development for intravenous drug abusers not-in-treatment and the non-intravenous drug-using female sexual partners; providing for ratification of action previously taken. (Mayor)

File 146-90-106, Resolution No. 46-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - Federal Funds]

Resolution authorizing the Director of Public Works to apply for, accept and expend Federal funds for modifications and rehabilitation of the Third Street Bridge at Channel Street; providing for ratification of action previously taken. (Department of Public Works)

File 148-90-5, Resolution No. 48-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - Federal Funds]

Resolution authorizing the Director of Public Works to apply for, accept and expend Federal funds in the amount of \$3,596,090 from the Federal Highway Administration for final engineering design of the Embarcadero Roadway Project. (Department of Public Works)

File 148-90-6, Resolution No. 49-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Grant - Federal Funds]

Resolution authorizing the Department of Social Services to apply for, accept and expend a Federal Challenge Grant from the State Department of Social Services, Office of Child Abuse Prevention, in the amount of \$1,806 to provide child abuse and neglect prevention and intervention services in Fiscal Year 1991-92. (Department of Social Services)

File 153-90-7, Resolution No. 50-91

Adopted by the following vote:

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Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Reimbursement to City from Bond Sale]

Resolution stating the intention of the Board of Supervisors on behalf of the City and County to reimburse project costs from the sale of General Obligation Bonds to be issued for earthquake repair, seismic strengthening of buildings, asbestos removal and accommodation for the disabled. (Chief Administrative Officer)

File 170-90-1.1, Resolution No. 51-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Police Vehicle Acquisition]

Resolution providing for the reimbursement from tax-exempt financings of payment of costs of the acquisition of certain equipment in connection with the lease financings program under Proposition C. (Chief Administrative Officer)

File 170-90-1.2, Resolution No. 52-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[Nonprofit Corporation]

Resolution authorizing the incorporation of the City and County Finance Corporation, approving the assignment of certain equipment leases to said corporation and approving certain actions in connection therewith. (Chief Administrative Officer)

File 170-90-1.3, Resolution No. 5-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Passed for Second Reading

[Equipment Lease]

Ordinance providing for the approval and execution and delivery by Officers of the City and County of San Francisco of an Equipment Lease between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to equipment used or to be used for City purposes; authorizing the Mayor with the approval of the City Attorney to make such changes in the lease as may be necessary in the interest of the city and approving the issuance of Lease Revenue Bonds by said nonprofit corporation; and providing that said bonds shall be subject to the certification of the Controller of the City and County of San Francisco prior to the sale of said bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith; companion measure to Files 170-90-1.2 and 170-90-1.3. (Chief Administrative Officer)

File 170-90-1.4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Adopted

[Grant - State Funds]

Resolution approving a contract between the Juvenile Probation Department and the California Youth Authority authorizing grant funding in the amount of \$497,700 under the County Correction Facility Capital Expenditure Bond Act for capital improvement and repair projects at the Log Cabin Ranch School. (Juvenile Probation Department)

File 244-90-3, Resolution No. 56-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

From Finance Committee Without Recommendation

Passed for Second Reading

(Supervisor Hallinan dissenting in Committee.)

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[Sale of Surplus Property]

Ordinance authorizing the sale of City-owned property identified as Lot 32 in Assessor's Block 3592 (an industrial area between 18th and 19th Streets and between Harrison and Folsom Streets) to Pacific Gas and Electric Company; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 96-90-6, Ordinance No.

Supervisor Hsieh, seconded by Supervisor Hongisto, moved to rerefer to Committee.

Motion to rerefer refused adoption by the following vote:

Ayes: Supervisors Hallinan, Hongisto, Hsieh - 3.

Noes: Supervisors Alioto, Gonzalez, Kennedy, Maher, Walker, Ward - 6.

Absent: Supervisors Britt, Nelder - 2.

Supervisor Hongisto, seconded by Supervisor Hsieh, moved to table.

Motion to table refused adoption by the following vote:

Ayes: Supervisors Hallinan, Hongisto, Hsieh - 3.

Noes: Supervisors Alioto, Gonzalez, Kennedy, Maher, Walker, Ward - 6.

Absent: Supervisors Britt, Nelder - 2.

After a period of discussion, Supervisor Kennedy, seconded by Supervisors Gonzalez and Walker, moved the previous question.

The Clerk then stated "Shall the previous question be now put?"

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

The roll was then called on the pending ordinance and it was passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Kennedy, Maher, Walker, Ward - 6.

Noes: Supervisors Hallinan, Hongisto, Hsieh - 3.

Absent: Supervisors Britt, Nelder - 2.



Recommendations of Administrative and Oversight Committee

Adopted

[Appointments]

Resolution affirming retention of members appointed by the Board of Supervisors as members of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Administration and Oversight Committee)

File 92-90-36, Resolution No. 27-91

(Stephan Leonoudakis;  
James R. Bronkema;  
Robert McDonnell;  
Robert Ross.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Ward - 8.

Absent: Supervisors Britt, Nelder, Walker - 3.

[Appointment]

Resolution affirming retention of Supervisor Doris M. Ward as member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Administration and Oversight Committee)

File 92-90-36.1, Resolution No. 28-91

Supervisor Ward Excused From Voting

Supervisor Maher, seconded by Supervisor Kennedy, moved to excuse Supervisor Ward from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 7.

Excused: Supervisor Ward - 1.

Absent: Supervisors Britt, Nelder, Walker - 3.



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[Appointment]

Resolution appointing Supervisor Willie B. Kennedy as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Administration and Oversight Committee)

File 92-90-36.2, Resolution No. 29-91

Supervisor Kennedy Excused From Voting

Supervisor Maher, seconded by Supervisor Hsieh, moved to excuse Supervisor Kennedy from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Ward - 6.

Excused: Supervisor Kennedy - 1.

Absent: Supervisors Britt, Maher, Nelder, Walker - 4.

[Appointment]

Resolution appointing Supervisor Bill Maher as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Administration and Oversight Committee)

File 92-90-36.3, Resolution No. 30-91

Supervisor Maher Excused From Voting

Supervisor Kennedy, seconded by Supervisor Ward, moved to excuse Supervisor Maher from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Walker, Ward - 8.

Excused: Supervisor Maher - 1.

Absent: Supervisors Britt, Nelder - 2.

[Appointment]

Resolution appointing Supervisor Tom Hsieh as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Administration and Oversight Committee)

File 92-90-36.4, Resolution No. 31-91

Supervisor Hsieh Excused From Voting

Supervisor Ward, seconded by Supervisor Kennedy, moved to excuse Supervisor Hsieh from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Walker, Ward - 8.

Excused: Supervisor Hsieh - 1.

Absent: Supervisors Britt, Nelder - 2.

Recommendation of City Services Committee

Adopted

[Commerce Street - John Maher Street]

Resolution changing the name of Commerce Street to John Maher Street, and providing for dual street signing. (Supervisors Maher, Walker, Hsieh, Gonzalez)

File 75-90-4, Resolution No. 26-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Walker, Ward - 8.

Absent: Supervisors Britt, Hongisto, Nelder - 3.

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Recommendations of Economic and Social Policy Committee

Consideration Continued

(Supervisor Kennedy dissenting in Committee.)

[Evictions by Tenants in Common]

Ordinance amending Administrative Code, to provide that landlords who become owners of record more than 30 days after the Mayor has approved this ordinance may not evict tenants on the grounds that the landlord or a relative intends to occupy the unit unless the landlord owns at least twenty-five percent of the building.  
(Supervisors Hallinan, Gonzalez)

File 109-90-2, Ordinance No.

(Amends Section 37.9.)

Supervisor Maher, seconded by Supervisor Hallinan, moved to continue consideration to January 14, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Britt, Hongisto, Nelder, Walker, Ward - 5.

Passed for Second Reading

[Speed Limits on Eighth and Market Streets]

Ordinance amending Traffic Code, changing existing speed limit zones on Eighth and Market Streets. (Department of Parking and Traffic)

File 124-90-7, Ordinance No.

(Adds Sections 175.31 and 175.32.)

(Establish 30 miles per hour speed limit

Eighth Street between Market and Townsend Streets;  
Market Street, between Franklin and Eureka Streets.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 7.

Absent: Supervisors Britt, Nelder, Walker, Ward - 4.

Adopted

[Residential Parking]

Resolution amending Resolution No. 875-89, extending boundaries of

Residential Permit Parking Area 'O' in the West Portal/Saint Francis Woods Area, by revising the parking time limits from three hours to two hours. (Department of Parking and Traffic)

File 40-90-6, Resolution No. 22-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 7.

Absent: Supervisors Britt, Nelder, Walker, Ward - 4.

[Prop H - Waterfront Land Use Plan]

Resolution requesting the Port Commission, consistent with the terms of Proposition H as approved by the voters of the City at the November 6, 1990, Municipal Election, to prepare a "Waterfront Land Use Plan" and further requesting that, within 30 days of the date of this request, the Port Commission advise the Board of Supervisors whether the Commission agrees to prepare the plan. (Supervisor Walker)

File 189-90-3, Resolution No. 54-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 7.

Absent: Supervisors Britt, Nelder, Walker, Ward - 4.

[Parking Regulations]

Resolution urging the Mayor to urge the Parking and Traffic Commission to increase the amount of time for pedestrians crossing Nineteenth and Holloway Avenues. (Supervisor Walker)

File 196-90-7.1, Resolution No. 55-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 7.

Absent: Supervisors Britt, Nelder, Walker, Ward - 4.

From Economic and Social Policy Committee Without Recommendations

Consideration Continued

[Negative Declaration - Bernal Heights Special Use District]

Resolution adopting Final Negative Declaration, finding and determining that the addition of Planning Code Section 242 to

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establish a Bernal Heights Special Use District and the rezoning of portions of the District from RH-3 to RH-2 and from RH-2 to RH-1 will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration.  
(Supervisors Maher, Walker)

File 36-90-5.1, Resolution No.

Supervisor Maher, seconded by Supervisor Hsieh, moved to continue consideration to January 14, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Britt, Hongisto, Nelder, Walker, Ward - 5.

Amendment of the Whole, as further amended, Adopted;  
Consideration Continued

[Bernal Heights Special Use District]  
Ordinance amending City Planning Code, to establish the Bernal Heights Special Use District and impose restrictions on property within that District, including height, set-back, rear yard, parking, curb cuts, garage door width, and demolition of residential structures and adopting findings; companion measure to Files 36-90-5 and 36-90-6. (Supervisors Maher and Walker)

File 81-90-4, Ordinance No.

(Adds Sections 242, 134, 252.1;  
Amends Sections 102, 132, 154, 155 and Table 151 of Section 151 to provide reference to Section 242 of this Code.)

(Disapproved by City Planning Commission Resolution No. 12080 unless amended per draft ordinance dated November 8, 1990 as further amended November 13 and November 29, 1990.)

Supervisor Maher, seconded by Supervisor Hsieh, moved an amendment of the whole entitled, "Ordinance amending the City Planning Code, to establish the Bernal Heights Special Use District and impose restrictions on property within that District, including height, set-back, rear yard, parking, curb cuts, garage door width, and demolition of residential structures; and adopting findings."

Supervisor Hsieh, seconded by Supervisor Maher, moved to amend the amendment of the whole on page two, lines five and seven, by replacing "November 8, 1990" with "January 7, 1991".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

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Absent: Supervisors Britt, Nelder - 2.

Amendment of the whole, as further amended, adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Maher - 6.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Britt, Nelder, Walker, Ward - 4.

Supervisor Maher, seconded by Supervisor Hsieh, moved to continue consideration to January 14, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Britt, Hongisto, Nelder, Walker, Ward - 5.

#### Consideration Continued

[Bernal Heights Special Use District Map Change]

Ordinance amending the Zoning Map to establish the boundaries for the Bernal Heights Special Use District in the area generally bounded by Army Street, Mission Street, Alemany Boulevard and James Lick Freeway. (Supervisors Maher, Walker)

File 36-90-5, Ordinance No.

(Approved by City Planning Commission Resolution No. 12080.)

Supervisor Maher, seconded by Supervisor Hsieh, moved to continue consideration to January 14, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Britt, Hongisto, Nelder, Walker, Ward - 5.

[Reclassification of Property]

Ordinance amending City Planning Code by amending the Zoning Map for certain properties in the Bernal Heights Area generally bounded in the north and east area by Army, Folsom and Powhattan Streets; in the northwest area by Folsom and Courtland Streets; and in the Holly Park Area by Alemany and Courtland Streets; and to reclassify these properties from RH-2 to RH-1 and from RH-3 to RH-2. (Supervisors Maher and Walker)

File 36-90-6, Ordinance No.



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(Disapproved by City Planning Commission Resolution No. 12080.)

Supervisor Maher, seconded by Supervisor Hsieh, moved to continue consideration to January 14, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Britt, Hongisto, Nelder, Walker, Ward - 5.

From Select Committee on Mission Bay Development  
Without Recommendation

(A Court Reporter was present and a copy of the transcript is on file in the Office of the Clerk of the Board of Supervisors.)

Adopted

(Supervisors Hongisto and Hsieh dissenting in Committee.)

[Final Environmental Impact Report]

Resolution adopting Final Environmental Impact Report, finding and determining that proposed Mission Bay Project consisting of a specific plan, amendments to Master Plan, a development agreement, zoning reclassification and amendments to Planning Code will have significant impacts on environment, and adopting and incorporating findings of Final Environmental Impact Report. (Department of City Planning)

File 255-90-2, Resolution No. 57-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Maher, Walker, Ward - 7.

Noes: Supervisors Hongisto, Hsieh - 2.

Absent: Supervisors Britt, Nelder - 2.

Passed for Second Reading; Consideration Continued

(Supervisors Hongisto and Hsieh dissenting in Committee.)

[Planning Code Text Amendment]

Ordinance amending Planning Code, to establish Mission Bay Districts and provide for permitted uses, zoning control tables, density, height district measurements and exceptions, building form articulation provisions, setbacks and projections, rooftop features, awnings and marquees, lot coverage and building separations, parking and freight loading/service vehicle provisions, sign provisions, relationship to transportation management, resident training and placement, childcare, office space limitation, historic preservation



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provisions, rules for nonconforming uses and noncomplying structures, rules for conditional, temporary and accessory uses, and provisions for compliance, permit approval and enforcement among other provisions. (Department of City Planning)

File 255-90-4, Ordinance No.

(Amends Sections 102, 201 and 202 to refer to new Article 9 and adds Article 9.)

(Although this legislation comes to the Board without recommendation the committee suggests the subject legislation be referred to City Planning Commission for advice and comment to be provided to the Board by February 15, 1991.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Maher, Walker, Ward - 7.

Noes: Supervisors Hongisto, Hsieh - 2.

Absent: Supervisors Britt, Nelder - 2.

Referred to City Planning Commission

Supervisor Gonzalez, seconded by Supervisor Hongisto, moved that subject legislation be referred to City Planning Commission with direction to report back by February 15, 1991.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Supervisor Walker, seconded by Supervisor Maher, moved to continue consideration to February 19, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

(Supervisors Hongisto and Hsieh dissenting in Committee.)

[Reclassification of Property - Use Districts]  
Ordinance amending Planning Code by amending Zoning Map for certain properties in Mission Bay Area generally bounded by Third Street, Berry Street and Fourth Street, China Basin Channel, China Basin, Mariposa, Pennsylvania, Seventh and Townsend Streets, all of

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Assessor's Blocks 3795-3798, 3804-3806, 3809, 3810, 3813, 3819, 3822, 3832, 3835, 3837-3841, 3849-3853, 3880, 3892, 3942, and 3944 and portions of Assessor's Blocks 3940, 3941, 3943, 3948 & 9900; and to reclassify these properties from C-M to MB-0 and from M-2 and P to MB-R-1, MB-R-2, MB-R-3, MB-0, MB-CI, MB-CF, MB-NC-S, MB-NC-2 and MB-NC-3, MB-H, M-1, and MB-OS Use Districts. (Department of City Planning)

File 255-90-5, Ordinance No.

(Although this legislation comes to the Board without recommendation the committee suggests the subject legislation be referred to City Planning Commission for advice and comment to be provided to the Board by February 15, 1991.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Maher, Walker, Ward - 7.

Noes: Supervisors Hongisto, Hsieh - 2.

Absent: Supervisors Britt, Nelder - 2.

Referred to City Planning Commission

Supervisor Gonzalez, seconded by Supervisor Hongisto, moved that subject legislation be referred to City Planning Commission with direction to report back by February 15, 1991.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Supervisor Walker, seconded by Supervisor Maher, moved to continue consideration to February 19, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Maher, Walker, Ward - 7.

Noes: Supervisors Hongisto, Hsieh - 2.

Absent: Supervisors Britt, Nelder - 2.

(Supervisors Hongisto and Hsieh dissenting in Committee.)

[Reclassification of Property - Height Districts]  
Ordinance amending City Planning Code by amending Zoning Map for certain properties in Mission Bay Area generally bounded by Third,

Berry, and Fourth Streets, the China Basin Channel, China Basin Street, Mariposa, Pennsylvania, Seventh and Townsend Streets, all of Assessor's Blocks 3795-3798, 3804-3806, 3809, 3810, 3813, 3819, 3822, 3832, 3835, 3837-3841, 3849-3853, 3880, 3892, 3942, and 3944 and portions of Assessor's Blocks 3940, 3941, 3943, 3948 and 9900; and to reclassify these properties from 40-X, 50-X, 80-B, 105-F, 130-B, and 200-E Height and Bulk Districts to OS, 45, 55, 70, 85, 95 and 110 Height Districts. (Department of City Planning)

File 255-90-6, Ordinance No.

(Although this legislation comes to the Board without recommendation the committee suggests the subject legislation be referred to City Planning Commission for advice and comment to be provided to the Board by February 15, 1991.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Maher, Walker, Ward - 7.

Noes: Supervisors Hongisto, Hsieh - 2.

Absent: Supervisors Britt, Nelder - 2.

Referred to City Planning Commission

Supervisor Gonzalez, seconded by Supervisor Hongisto, moved that subject legislation be referred to City Planning Commission with direction to report back by February 15, 1991.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Supervisor Walker, seconded by Supervisor Maher, moved to continue consideration to February 19, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

(Supervisors Hongisto and Hsieh dissenting in Committee.)

[Mission Bay Development Agreement]  
Ordinance adopting and approving Development Agreement by and between San Francisco and Catellus Development Corporation, and

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authorizing Mayor to execute Development Agreement on behalf of San Francisco. (Department of City Planning)

File 255-90-3, Ordinance No.

(Although this legislation comes to the Board without recommendation the committee suggests the subject legislation be referred to City Planning Commission for advice and comment to be provided to the Board by February 15, 1991.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Maher, Walker, Ward - 7.

Noes: Supervisors Hongisto, Hsieh - 2.

Absent: Supervisors Britt, Nelder - 2.

Referred to City Planning Commission

Supervisor Gonzalez, seconded by Supervisor Hongisto, moved that subject legislation be referred to City Planning Commission with direction to report back by February 15, 1991.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Supervisor Walker, seconded by Supervisor Maher, moved to continue consideration to February 19, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Adopted

(Supervisors Hongisto and Hsieh dissenting in Committee.)

[Mission Bay Affirmative Action and Economic Development Plan]  
Resolution approving and adopting findings in support of Mission Bay Affirmative Action and Economic Development Plan. (Supervisor Hongisto)

File 255-90-3.1, Resolution No. 58-91

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Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

[California Environmental Quality Act Findings]

Resolution adopting and incorporating by reference the Mission Bay Findings approved by the City Planning Commission by its Resolution No. 12040 and the findings approved by the Port Commission by its Resolution No. 90-99, and adopting further findings pursuant to the California Environmental Quality Act, including a finding of the overriding benefits of the Mission Bay Project. (Supervisor Hongisto)

File 255-90-7, Resolution No. 60-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Maher, Walker, Ward - 7.

Noes: Supervisors Hongisto, Hsieh - 2.

Absent: Supervisors Britt, Nelder - 2.

(Supervisors Hongisto and Hsieh dissenting in Committee.)

[Mission Bay Housing Program Special Condition]

Resolution declaring the intention of the Board of Supervisors to allocate and appropriate funds from City revenues generated by the Mission Bay Project or other appropriate mechanisms to finance affordable housing obligations under the Mission Bay Development Agreement Housing Program Special Condition. (Supervisors Ward, Gonzalez)

File 255-90-3.2, Resolution No. 59-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Maher, Walker, Ward - 7.

Noes: Supervisors Hongisto, Hsieh - 2.

Absent: Supervisors Britt, Nelder - 2.

Passed for Second Reading; Consideration Continued

[Development Agreement Procedure]

Ordinance amending Administrative Code, clarifying the notice provisions and conforming to the Mission Bay Development Agreement. (Supervisor Hongisto)

Monday, January 7, 1991

File 97-90-63, Ordinance No.

(Amends Sections 56.8, 56.14, 56.15, 56.16 and 56.17.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Supervisor Walker, seconded by Supervisor Maher, moved to continue consideration to February 19, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Passed for Second Reading as Amended; Consideration Continued

[Development Agreement Procedure]

((Ordinance amending Administrative Code, to permit the Board of Supervisors to review a Planning Commission determination to issue a Certificate of Compliance.)) (Supervisor Hongisto)

Ordinance amending Administrative Code by amending Sections 56.8, 56.14, 56.15, 56.16 and 56.17 clarifying the notice provisions and conforming to the Mission Bay Development Agreement.

File 97-90-64, Ordinance No.

((Amends Section 56.17(e).))

Supervisor Hongisto, seconded by Supervisor Walker, moved to amend to reflect amendments contained in File 97-90-63 thereby changing title to read, "Ordinance amending Administrative Code by amending Sections 56.8, 56.14, 56.15, 56.16 and 56.17 clarifying the notice provisions and conforming to the Mission Bay Development Agreement."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.



Monday, January 7, 1991

Absent: Supervisors Britt, Nelder - 2.

Supervisor Walker, seconded by Supervisor Maher, moved to continue consideration to February 19, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Walker, Ward - 9.

Absent: Supervisors Britt, Nelder - 2.

#### COMMITTEE REPORTS

##### Recommendation of City Services Committee

Passed for Second Reading as Amended

[Video Display Terminal]

Ordinance amending Health Code by amending Sections 1302, 1304 and 1305 to exempt fixed console CADD hardware equipment from the definition of terminal; to apply certain of the workstation standard provisions prospectively, beginning one year after Article 23 becomes effective and only to equipment purchased; to require upgrading of existing equipment in stages, to begin thirty months and to be completed forty-eight months after Article 23 becomes effective; and to eliminate the requirement that employers provide a written explanation to each VDT operator of why no alternative work can be provided, if it cannot be provided.

File 118-90-5.3, Ordinance No.

Supervisor Alioto presented as a recommendation of City Services Committee.

Supervisor Ward presented an amendment of the whole bearing same title.

Supervisor Walker, seconded by Supervisor Nelder, moved the amendment of the whole.

Supervisor Walker, seconded by Supervisor Nelder, moved to amend the amendment of the whole to include on page five, line four, the word "repetitive" after the word "perform".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, Nelder, Walker, Ward - 10.

Absent: Supervisor Britt - 1.



Monday, January 7, 1991

Amendment of the whole, as further amended, adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Britt - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Britt - 1.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ramona Allbright;  
Ace Washington.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or by a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolution. Eight votes (or a unanimous vote if only six or seven members are present is required.

(The following two measures were considered separately.)

Adopted

[Appointment]

Resolution appointing Supervisor Tom Hsieh to the Association of Bay Area Governments Executive Board vice Supervisor Nancy G. Walker, term expired, for two-year term ending June 30, 1992. (Supervisor Britt)

File 92-90-59, Resolution No. 32-91

(December 17, 1990 - Introduced in Board for consideration on January 7, 1991.)

Monday, January 7, 1991

Supervisor Hsieh Excused From Voting

Supervisor Gonzalez, seconded by Supervisor Ward, moved to excuse Supervisor Hsieh from voting.

Motion to excuse Supervisor Hsieh from voting adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Ward - 7.

Absent: Supervisors Britt, Maher, Nelder, Walker - 4.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Kennedy, Ward - 6.

Excused: Supervisor Hsieh - 1.

Absent: Supervisors Britt, Maher, Nelder, Walker - 4.

Consideration Continued

[Telephone Services]

Resolution requesting the Chief Administrative Officer of the City and County to examine alternatives for providing long distance telephone services for City offices and agencies. (Supervisor Gonzalez)

File 269-90-1, Resolution No.

(December 17, 1990 - Introduced in Board for consideration on January 7, 1991.)

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to continue consideration to February 4, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher - 7.

Absent: Supervisors Britt, Nelder, Walker, Ward - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Monday, January 7, 1991

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-1, Resolution No. 6-91

(Harry Britt, President, Board of Supervisors, January 3 - 7; Angela Alioto, member, Board of Supervisors, January 9 - 21; Raymond J. Baxter, Director of Health, December 24, 1990 - January 2, 1991; Debra Chasnoff, member, Film and Video Arts Commission, December 28, 1990 - January 10, 1991; Mrs. Joseph D. Cuneo, Trustee, War Memorial, December 17, 1990 - January 2, 1991; Rina Cutler, Executive Director, Parking & Traffic, January 14 - 16; Mrs. Walter Haas, Jr., Trustee, War Memorial, December 26, 1990 - January 3, 1991; Mr. Thomas E. Horn, Trustee, War Memorial, December 28, 1990 - January 6, 1991; Bruce Jamison, Recorder, December 17 - 19, 1990; Mr. Claude M. Jarman, Jr., Trustee, War Memorial, December 26 - 31, 1990; Ms. Francesca Naify, Trustee, War Memorial, December 24, 1990 - January 4, 1991; David Neely, Vice President, Social Services Commission, December 17, 1990 - January 10, 1991; Angelo Quaranta, member, Parking and Traffic Commission, January 2 - 15; Mrs. Melvin Swig, Trustee, War Memorial, January 17 - 20, January 31 - February 5 and February 6 - 9, 1991.)

Adopted.

[Commendation]

Resolution commending and honoring Nancy G. Walker for her distinguished service on the Board of Supervisors of the City and County of San Francisco. (Supervisor Britt)

File 6-91-1, Resolution No. 1-91

Adopted.

[Commendation]

Resolution commending and honoring Richard Hongisto for his distinguished service on the Board of Supervisors of the City and County of San Francisco. (Supervisor Britt)

File 6-91-2, Resolution No. 2-91

Adopted.

[Commendation]

Resolution commending and honoring Supervisor Nelder for her distinguished service on the Board of Supervisors of the City and County of San Francisco. (Supervisor Britt)

File 6-91-3, Resolution No. 3-91

Adopted.

Monday, January 7, 1991

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

Adopted

[Funding]

Resolution emphasizing the Board's support for ongoing funding of chronic fatigue and HIV early intervention programs.

File 100-90-1.10, Resolution No. 13-91

Supervisors Alioto, Britt, Hongisto, Walker, Hallinan, Hsieh, Kennedy, Maher, Gonzalez presented for immediate adoption.

Adopted.

[Police Officer Training]

Resolution calling on the California State Department of Justice to require the State Commission on Peace Officer Standards and Training to require law enforcement officials to receive lesbian, gay and bisexual sensitivity training.

File 12-91-1, Resolution No. 7-91

Supervisor Alioto presented for immediate adoption.

Adopted.

[Federal Shipping Act of 1984]

Resolution urging the Congress of the United States to amend the Federal Shipping Act of 1984 either to prohibit the use of port and berthing facilities by companies doing business with or in South Africa, or to allow states and cities to enact such prohibitions; directing the Clerk to forward copies of this resolution to the San Francisco members of the House of Representatives and the United States Senators from the State of California.

File 13-91-1, Resolution No. 8-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Street Closings]

Resolution authorizing temporary closing of Justin Herman Plaza and portions of Market and Polk Streets on Saturday, January 26, 1991, from 11:00 a.m. to 1:00 p.m. for a march and rally sponsored by the Committee Against a Vietnam War in the Middle East; waiving the requirement that sponsor provide insurance.

File 42-91-1, Resolution No. 9-91

Supervisor Hongisto presented for immediate adoption.

Adopted.

[Street Closings]

Resolution authorizing temporary closing of portion of Polk Street, between Grove and McAllister Streets, on Saturday, January 19, 1991, from 9:00 a.m. to 5:00 p.m., for an outdoor rally sponsored by the Emergency Committee to Stop the U. S. War in the Middle East.

File 42-91-2, Resolution No. 10-91

Supervisor Hongisto presented for immediate adoption.

Adopted.

[Street Closings]

Resolution authorizing temporary closing of portion of Walter U. Lum Place, between Washington and Clay Streets, from 12:01 a.m. on Tuesday, February 12, 1991, to 6:00 p.m. on Monday, March 4, 1991, for a Chinese New Year Festival (street carnival).

File 42-91-3, Resolution No. 11-91

Supervisor Hongisto presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portion of Larkin Street, between Eddy And Ellis Streets, on Saturday, February 16, 1991, from 9:00 a.m. to 6:00 p.m., for a street fair celebrating the Lunar New Year.

File 42-91-4, Resolution No. 65-91

Supervisor Britt presented for immediate adoption.

Adopted.

[Treat Avenue Property Sale]

Resolution urging the Chief Administrative Officer and the Director of the Department of Public Works, to the degree that such funds are not required by the department for additional land purchases, to utilize the funds received from the sale of Treat Avenue to finance the City's share of infra-structure improvements associated with affordable housing developments.

File 96-91-1, Resolution No. 12-91

Supervisor Walker presented for immediate adoption.

Adopted.

Monday, January 7, 1991

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy - 6.

Absent: Supervisors Britt, Maher, Nelder, Walker, Ward - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Environmental Review Fees]

Ordinance amending Administrative Code by amending Section 31.46 concerning fees for environmental review procedures. (Supervisor Ward presented.) Referred to Finance Committee.

File 97-91-2

[Water Conservation]

Ordinance amending Administrative Code by adding Chapter 63, establishing limitations on water use for landscaping new developments. (Supervisors Walker and Maher presented.) Referred to Economic and Social Policy Committee.

File 97-91-3

[Planning Fees]

Ordinance amending City Planning Code by amending, adding and renumbering various sections to impose new fees and change the amount of fees currently charged relating to Department of City Planning actions including the review of planning authorizations. (Supervisor Ward presented.) Referred to Finance Committee.

File 115-91-1

[Real Property Transfer Tax Increase]

Draft ordinance amending Part III, Municipal Code, by amending Section 1102 to increase the real property transfer tax rate from \$2.50 for each five hundred dollars of consideration or value to \$5.00 for each five hundred dollars of consideration or value for transactions in which the consideration exceeds \$300,000. (Supervisors Walker and Gonzalez presented.) Referred to Finance Committee.

File 127-91-1



Monday, January 7, 1991

Referred to Board

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a grant not to exceed \$7,000,000 from the Health Resources and Services Administration, to fund the Comprehensive AIDS Resources Emergency (CARE) Disaster Relief Grant program. (Supervisor Britt presented.) Referred to Board January 14, 1991 Immediate Adoption Calendar.

File 146-90-88.1

Requests for Hearings

File 30-91-1, By Supervisor Alioto: To consider planned closing of the Mount Zion Community Crisis Clinic to determine the reasons for the closing, the impact on the City and current clients, what negotiations have taken place to use the money that is available to keep the clinic open, what the Department of Public Health is doing to replace lost services, what the closing of the clinic will have on the cost-effectiveness of these services and what impact the closing of the clinic will have on the African-American, HIV and other impacted communities. Referred to City Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that City Attorney draft appropriate legislation which would ban the sale, possession or use of telephone beepers by persons under the age of eighteen years of age.

By Supervisor Gonzalez, that letter be sent to General Manager, Recreation and Park Department transmitting correspondence from a concerned citizen regarding neglect of specific areas in Golden Gate Park and requesting she investigate the de Laveaga Dell and Strawberry Hill sections to determine the need for maintenance and repair.

By Supervisor Gonzalez, that letter be sent to his Honor, the Mayor, urging him to urge Governor Pete Wilson to retain the State Division of Apprenticeship Standards and the San Francisco Division of Apprenticeship Standards in the 1990-91 Budget, as mandated by the Shelley-Maloney Act and the voters of California, which has increased the number of apprentices to over 50,000 individuals, over the past eight years and which is often the only means which minorities can learn a trade within the building and trade industry, that leads to employment opportunities and essentially increases the tax base and to eliminate the establishment of user fees to be paid by the program sponsors and/or apprentices, until this fee proposal has been thoroughly researched, as it may adversely effect the participation of low income minority individuals.



Monday, January 7, 1991

By Supervisor Hongisto, that City Attorney send letter to Director of Property advising him when leasing City property to include legislation concerning discrimination.

By Supervisor Kennedy, that City Attorney prepare ballot measure to levy ten-cent tax on aerosol spray paint cans and five-cent tax on marker pens to raise money for removal of gang graffiti pursuant to AB 3580 (Katz) effective January 1, 1991.

By Supervisor Kennedy, that letter be sent to City Attorney to determine why she has not responded to Civil Service Commission's inquiry regarding the Health Commission's request for a Black sensitive cultural waiver and that copies of her response be sent to the Mayor, Health Commission, Director of Health and General Manager, Civil Service.

By Supervisor Kennedy, that City Attorney prepare legislation enacting a breeding moratorium for San Francisco similar to the one recently adopted by San Mateo County.

By Supervisor Alioto, that legislative policy staff prepare analysis of departmental organizational charts and other budget reforms to aid the Board during the City's budget process.

By Supervisor Alioto, that legislative policy staff prepare analysis of a "vacant position review" during the City's budget process.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Marguerite Warren (By the entire Board)  
Harvey Maurer (Supervisors Britt, Hongisto)  
Isadore A. Vance (Supervisor Kennedy)  
Estelle Bedford (Supervisor Kennedy)  
John O'Connell (Supervisor Alioto)

File 2-91-1

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 6:42 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Tuesday, January 8, 1991 - 12:00 Noon

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The Board of Supervisors of the City and County of San Francisco met in special inaugural session on the above date.

CALLING THE ROLL

The meeting was called to order at 12:10 p.m. On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Quorum present.

President Britt presiding.

COMMUNICATIONS

The Clerk presented the following communications:

Certification of Election Results

December 3, 1990

Honorable Board of Supervisors  
City and County of San Francisco  
Room 235 City Hall  
San Francisco, California 94102

I, Germaine Q Wong, Registrar of Voters of the City and County of San Francisco, hereby certify that pursuant to and in the manner required by law, I have canvassed the vote cast at the Consolidated General Election held on Tuesday, the Sixth day of November 1990 in said City and County.

I certify that I commenced the canvass of said election on Thursday, November 8, 1990 and that the canvass was conducted in the manner required by Division 12 of the California Elections Code.

Tuesday, January 8, 1991

I further certify that as a result of such official canvass and tabulation of all votes recorded, I herewith present a complete record as set forth in full in the volume entitled, "Statement of Votes, Consolidated General Election, November 6, 1990" and that the number of ballots cast at said election was 236,239.

I further certify that the candidates for Municipal Court Judge Office #1 received the following number of votes:

Julie Tang	112,738
Ellen Chaitin	44,764

Julie Tang having received more than 50% of the votes cast for this office has been elected Municipal Court Judge.

I further certify that the candidates for Assessor received the following number of votes:

Richard Hongisto	103,812
Wendy Nelder	86,957

Richard Hongisto having received more than 50% of the votes cast for this office has been elected Assessor.

I further certify that the following five candidates received the highest number of votes for the Board of Supervisors, and thus are elected to said Board:

Doris M. Ward	100,081
Bill Maher	98,226
Carole Migden	84,715
Roberta Achtenberg	78,639
Kevin F. Shelley	67,067

I further certify that the following three candidates received the highest number of votes for the Board of Education, and thus are elected to said Board:

Tom Ammiano	69,667
Carlota Del Portillo	63,561
Dan Kelly	58,790

I further certify that the following three candidates received the highest number of votes for the Community College Board, and thus are elected to said Board:

Mabel Teng	77,516
William Perez Marquis	69,703
Robert E. Burton	61,798

I further certify that the ordinance for correctional facilities improvement bonds designated as Proposition A received an affirmative vote of 69.2% (i.e. 135,528 to 60,086) of the votes cast thereon, and therefore has passed receiving more than the two-thirds majority vote required.

Tuesday, January 8, 1991

I further certify that the Charter Amendment designated as Proposition D received an affirmative vote of the majority of the votes cast thereon, and therefore has passed.

I further certify that the ordinances designated as Propositions H and K received an affirmative vote of the majority of the votes cast thereon, and therefore has passed.

I further certify that the ordinance for Youth Guidance Center Improvement Bonds designated as Proposition B received an affirmative vote of 58.5% (i.e. 115,830 to 82,003) of the votes cast thereon, however, Proposition B failed to receive the two-thirds majority vote required of bond measures.

I certify that the Charter Amendments designated as Propositions C, E, F, and G, failed to receive an affirmative vote of the majority of the votes cast thereon.

I further certify that the ordinances designated as Propositions I and J failed to receive an affirmative vote of the majority of the votes cast thereon.

Please be aware that Arlo Smith, a candidate for State Attorney General, has filed a lawsuit against the California Secretary of State to exclude the votes of absentee ballots cast in counties which do not check signatures on absentee ballot applications. In the City and County of San Francisco, we follow the Secretary of State Guidelines which require signature verification only of returned ballots; however, in fact we randomly check approximately 10% of the signatures on absentee ballot applications. Should Mr Smith be successful in his lawsuit, which, according to the Secretary of State's staff is highly unlikely, some local election results would change as follows:

Board of Education: The following three candidates would receive the highest number of votes:

Tom Ammiano,  
Carlota Del Portillo,  
Sodonia Wilson.

The following two candidates would receive the next highest number of votes:

Rosario Anaya,  
Dan Kelly.

Proposition I: The result would be reversed and Proposition I would receive an affirmative vote of 50.4%.

As stated above, the lawsuit most likely will be unsuccessful, and the votes as certified herein will stand.

In witness whereof I hereby affix my hand and seal this twenty-third day of December 1990.

Tuesday, January 8, 1991

/s/  
Germaine Q Wong  
Registrar of Voters

January 8, 1991

The Honorable Board of Supervisors  
City and County of San Francisco  
Room 235 - City Hall  
San Francisco, California 94102

Ladies and Gentlemen:

This is to inform you that a recorded bond is on file for each of the following member of the Board of Supervisors:

Supervisor Roberta Achtenberg  
Supervisor Angela Alioto  
Supervisor Harry Britt  
Supervisor James Gonzalez  
Supervisor Terence Tyrone Hallinan  
Supervisor Tom Hsieh  
Supervisor Willie Kennedy  
Supervisor Bill Maher  
Supervisor Carole Migden  
Supervisor Kevin Shelley  
Supervisor Doris M. Ward

Very truly yours,

/s/  
Samuel Yockey  
Controller

Administration of Oaths to Supervisors Elect

President Britt introduced the Honorable John E. Dearman, Presiding Judge, San Francisco Superior Court, and announced that Judge Dearman will administer the oath of office. The President requested the re-elected and newly elected members of the Board to please rise and stand at their respective desks, where the oath would be administered en masse.

Judge Dearman administered the oath of office to the following members of the Board of Supervisors:

Supervisors Achtenberg, Maher, Migden, Shelley, Ward.

Administration of Oaths to Assessor

President Britt introduced the Honorable Judge Herbert Donaldson, San Francisco Municipal Court, who will administer the oath of office to Richard D. Hongisto as Assessor of the City and County of San Francisco.

Judge Donaldson administered the oath of office to former Supervisor Richard Hongisto.

Assessor Hongisto was afforded the opportunity for brief remarks and introduction of family and friends.

#### Remarks by Retiring President Harry G. Britt

Supervisor Britt thanked his former and current colleagues for their support in instituting various changes during his tenure as President of the Board of Supervisors; such as, restructuring the committee system and reducing the number of committees to four, addition of three legislative policy staff positions and submittal of ordinance to the voters which created the San Francisco County Transportation Authority.

#### Introduction of Guests

The following distinguished guests were recognized:

Dianne Feinstein, former Supervisor and Mayor of San Francisco;  
Leo McCarthy, Lieutenant Governor of California;  
Tom Nolan, President, San Mateo County Board of Supervisor;  
Nancy Pelosi, Member of Congress.

#### Installation of President Doris M. Ward

The outgoing President, Harry G. Britt, requested that Supervisors Gonzalez and Kennedy escort the newly elected President to the rostrum.

#### Presentation of Mayor Agnos

President Ward, upon assuming the Chair, indicated it was with great honor, as her first act, to officially welcome to our Chambers the leader of our City, Mayor Art Agnos.

#### Remarks by Mayor

Mayor Art Agnos welcomed the three new supervisors and the two returning members of the Board of Supervisors and acknowledged the many distinguished guests. The Mayor indicated today a new page is added to the history of the City and County, as the City changes from the first gay to the first African-American President of the Board of Supervisors and congratulated President Ward. He said this new Board truly represents San Francisco's diversity.

The Mayor extended his congratulations to each new and each veteran member of the Board and committed to work together with them.



Tuesday, January 8, 1991

Presentation of Plaque

President Ward, on behalf of the entire Board, presented a commendatory plaque to President Britt, memorializing his term as President of the Board for the period January 9, 1989 to January 8, 1991.

Introduction of Supervisors  
and Members of their Families

Thereafter, the name of each member was called and he or she, after brief remarks introduced their respective families and close friends.

Announcement

President Ward announced that the Board of Supervisors will hold a special Board meeting on Wednesday, January 9, 1991, at 1:30 p.m. for the purpose of awarding bonds.

Announcement of Committee Assignments

The following Committee assignments were made by President Ward:

FINANCE

Supervisors Gonzalez, Shelley, Hallinan

ADMINISTRATION AND OVERSIGHT

Supervisors Hallinan, Maher, Britt

CITY SERVICES

Supervisors Alioto, Achtenberg, Hsieh

ECONOMIC AND SOCIAL POLICY

Supervisors Kennedy, Migden, Alioto

First-named Supervisor is Chair, second-named  
Supervisor is Vice-Chair, of the Committee.

ADJOURNMENT

There being no further business, the Board at the hour of 2:03 p.m. adjourned.

John L. Taylor, Clerk

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Wednesday, January 9, 1991 - 1:30 p.m.

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The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 1:33 p.m.,

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Hongisto, Kennedy, Maher, Nelder, Walker, Ward - 10.

Noted absent at first roll call:

Supervisor Hsieh - 1.

Quorum present.

Supervisor Hsieh was noted present at 1:35 p.m.

Communication

The Clerk announced that bids were received and opened by the Clerk this morning and the Controller has submitted the following correspondence recommending that the bid be awarded to the best bidder, Bank of America NT & SA and Associates.

Wednesday, January 9, 1991

January 9, 1991

Honorable Art Agnos, Mayor  
City and County of San Francisco  
Room 200, City Hall  
San Francisco, California 94102

Honorable Board of Supervisors  
City and County of San Francisco  
Room 235, City Hall  
San Francisco, California 94102

Ladies and Gentlemen:

At 10:00 A.M. today a total of three (3) bids were received related to the sale of the Multi Purpose General Obligation Bonds which included, Series 1991A (Various Purpose Projects) of \$88,900,000, Series 1991B (Fire Protection System Improvement Projects) of \$15,700,000 and Series 1991C (Correctional Facilities Improvement Project) of \$16,500,000 totalling \$120,600,000. The bids received in rank order based on the calculation True Interest Cost (TIC) percentage follow;

	<u>TIC PERCENTAGE RATE</u>	<u>TOTAL NET INTEREST COST</u>
1. Bank of America et al - Consortium	6.6313	99,353,805.94
2. Lehman Brother et al	6.6344	99,124,291.69
3. Goldman Sachs & Co. et al	6.6914	100,037,125.22

It is recommended that the bid award be given to Bank of America NT & SA and Associates.

Very truly yours,

/s/  
Samuel D. Yockey  
Controller

Adopted

[General Obligation Bonds]  
Resolution awarding bonds and fixing definitive interest rates for \$88,900,000 principal amount of City and County of San Francisco General Obligation Bonds, Series 1991A (Various Purpose Projects); \$15,200,000 principal amount of City and County of San Francisco Series 1991B (Fire Protection System Improvement Bonds) and \$16,500,000 principal amount of City and County of San Francisco General Obligation Bonds, Series 1991C (Correctional Facilities Improvement Project). (Clerk of the Board)

File 170-90-14.1, Resolution No. 4-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Wednesday, January 9, 1991

ADJOURNMENT

There being no further business, the Board at the hour of 1:38 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Wednesday, January 9, 1991

Approved by the Board of Supervisors on September 30, 1991

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors













2 Vol. 86

No. 2

Monday, January 14, 1991

# **Journal of Proceedings Board of Supervisors**

**City and County of San Francisco**

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, January 14, 1991 - 2:00 p.m.

---

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Noted absent at first roll call:

Supervisors Alioto, Kennedy - 2.

Quorum present.

Supervisor Alioto excused, on official leave of absence.

Supervisor Kennedy was noted present at 3:06 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Gonzalez, seconded by Supervisor Hallinan, moved that the Journal of Proceedings for Monday, July 2, 1990, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Kennedy - 2.

Presentation of Guests

Supervisor Hsieh introduced and welcomed the following members of Leningrad City Soviet of People's Deputies:

Monday, January 14, 1991

Igor M. Kucherenko, Deputy Chairman, Leningrad City Soviet;  
Alekssei I. Aleksandrov, Chairman, Commission on Legality, Law  
and Order, and the Work of Law Enforcement Agencies;  
Valeriy E. Krasnyanskiy, Deputy Chairman, Commission on  
Ecological Reform;  
Valdimir F. Mironov, Chairman, Commission on Legislation; and  
Viktor N. Monakhov, Deputy Chairman, Commission on Glasnost' and  
the Mass Media.

### CONSENT CALENDAR

#### Recommendations of Finance Committee

##### Finally Passed

###### [Government Funding]

Ordinance appropriating \$467,962, Sheriff Department, for temporary salaries, overtime, mandatory fringe benefits, other contractual services, uniforms and food preparation equipment. (Controller)

File 101-90-31, Ordinance No. 24-91

Finally passed.

###### [Government Funding]

Ordinance appropriating \$18,883, Department of Agriculture, for equipment purchase, services of other departments - Police Security, and services of other departments - Department of Public Works - Street Cleaning. (Controller)

File 101-90-32, Ordinance No. 25-91

Finally passed.

###### [Government Funding]

Ordinance appropriating \$1,000,000, Department of Parking and Traffic, for capital improvement project (San Francisco General Hospital Parking Facility) for fiscal year 1990-91; placing \$1,000,000 on reserve. (Controller)

File 101-90-36, Ordinance No. 27-91

Finally passed.

###### [Airport - Lease Modification]

Ordinance approving Modification No. 2 of Lease and Use Agreement between Pan American World Airways, Inc. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-90-9, Ordinance No. 1-91

Finally passed.

[Airport - Lease Modification]

Ordinance approving Modification No. 9 of Lease and Use Agreement between United Air Lines, Inc. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-90-10, Ordinance No. 3-91

Finally passed.

[Cellular Telephone System Site, Lease Agreement]

Ordinance authorizing a negotiated lease agreement between the City and County and Bay Area Cellular Telephone Company for certain space located at the Southeast Water Pollution Control Plant at 1701 Jerrold Avenue. (Real Estate Department)

File 65-90-8, Ordinance No. 19-91

Finally passed.

[Lease Agreement - Pre-release Program]

Ordinance authorizing and approving lease of City-owned property located on First Floor, Room 116 of the Hall of Justice, 850 Bryant Street, to the Northern California Service League. (Real Estate Department)

File 65-90-10, Ordinance No. 20-91

Finally passed.

[Lease Agreement - Children's Waiting Room]

Ordinance authorizing and approving lease of City-owned property located on First Floor, Room 106 of the Hall of Justice, 850 Bryant Street, to the Northern California Service League. (Real Estate Department)

File 65-90-11, Ordinance No. 21-91

Finally passed.

[Sale of City-owned Property]

Ordinance authorizing the sale of City-owned property (Public Utilities Commission/Municipal Railway Department, Lot 1 in

Monday, January 14, 1991

Assessor's Block 2203 at the intersection of 14th Avenue and Quintara Street); and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 96-90-5, Ordinance No. 22-91

Finally passed.

[Capital Improvement Advisory Committee - Membership]  
Ordinance amending Administrative Code, regarding membership of the Capital Improvement Advisory Committee, by allowing appointments of permanent alternates. (Chief Administrative Officer/Capital Improvement Advisory Committee)

File 97-90-61, Ordinance No. 23-91

(Amends Section 3.06.)

Finally passed.

[Filing Fee - Domestic Partnership]  
Ordinance amending Administrative Code, to establish a filing fee of thirty-five dollars (\$35) for the filing of declarations of domestic partnership and amendments to declarations of domestic partnership. (Supervisor Britt)

File 97-90-62, Ordinance No. 2-91

(Adds Chapter 62, Sections 62.1 through 62.8.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Kennedy - 2.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$33,112, Municipal Railway, for training and membership dues for fiscal year 1990-91; subject to previous budgetary denial. (Controller)

File 101-90-35, Ordinance No. 26-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Kennedy - 2.

[Equipment Lease]

Ordinance providing for the approval and execution and delivery by Officers of the City and County of San Francisco of an Equipment Lease between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to equipment used or to be used for City purposes; authorizing the Mayor with the approval of the City Attorney to make such changes in the lease as may be necessary in the interest of the city and approving the issuance of Lease Revenue Bonds by said nonprofit corporation; and providing that said bonds shall be subject to the certification of the Controller of the City and County of San Francisco prior to the sale of said bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Chief Administrative Officer)

File 170-90-1.4, Ordinance No. 29-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Kennedy - 2.

From Finance Committee Without Recommendation

Consideration Continued

(Supervisor Hallinan dissenting in Committee.)

[Sale of Surplus Property]

Ordinance authorizing the sale of City-owned property identified as Lot 32 in Assessor's Block 3592 (an industrial area between 18th and 19th Streets and between Harrison and Folsom Streets) to Pacific Gas and Electric Company; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

Monday, January 14, 1991

File 96-90-6, Ordinance No.

Supervisor Migden, seconded by Supervisor Maher, moved to continue consideration to January 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Kennedy - 2.

Recommendations of Economic and Social Policy Committee

Passed for Second Reading

(Supervisor Kennedy dissenting in Committee.)

[Evictions by Tenants in Common]

Ordinance amending Administrative Code, to provide that landlords who become owners of record more than 30 days after the Mayor has approved this ordinance may not evict tenants on the grounds that the landlord or a relative intends to occupy the unit unless the landlord owns at least twenty-five percent of the building.  
(Supervisors Hallinan, Gonzalez)

File 109-90-2, Ordinance No.

(Amends Section 37.9.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 7.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisors Alioto, Kennedy - 2.

Finally Passed

[Speed Limits on Eighth and Market Streets]

Ordinance amending Traffic Code, changing existing speed limit zones on Eighth and Market Streets. (Department of Parking and Traffic)

File 124-90-7, Ordinance No. 28-91

(Adds Sections 175.31 and 175.32.)

(Establish 30 miles per hour speed limit

Eighth Street, between Market and Townsend Streets;  
Market Street, between Franklin and Eureka Streets.)



Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Kennedy - 2.

From Economic and Social Policy Committee Without Recommendations

Adopted

[Negative Declaration - Bernal Heights Special Use District]  
Resolution adopting Final Negative Declaration, finding and determining that the addition of Planning Code Section 242 to establish a Bernal Heights Special Use District and the rezoning of portions of the District from RH-3 to RH-2 and from RH-2 to RH-1 will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration.  
(Supervisors Maher, Walker)

File 36-90-5.1, Resolution No. 71-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Kennedy - 2.

Passed for Second Reading

[Bernal Heights Special Use District]  
Ordinance amending the City Planning Code, to establish the Bernal Heights Special Use District and impose restrictions on property within that District, including height, set-back, rear yard, parking, curb cuts, garage door width, and demolition of residential structures; and adopting findings. (Supervisors Maher and Walker)

File 81-90-4, Ordinance No.

(Adds Sections 242, 134, 252.1;  
Amends Sections 102, 132, 154, 155 and Table 151 of Section 151 to provide reference to Section 242 of this Code.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Kennedy - 2.

Monday, January 14, 1991

[Bernal Heights Special Use District Map Change]

Ordinance amending the Zoning Map to establish the boundaries for the Bernal Heights Special Use District in the area generally bounded by Army Street, Mission Street, Alemany Boulevard and James Lick Freeway. (Supervisors Maher, Walker)

File 36-90-5, Ordinance No.

(Approved by City Planning Commission Resolution No. 12080.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Kennedy - 2.

Tabled

[Reclassification of Property]

Ordinance amending City Planning Code by amending the Zoning Map for certain properties in the Bernal Heights Area generally bounded in the north and east area by Army, Folsom and Powhattan Streets; in the northwest area by Folsom and Courtland Streets; and in the Holly Park Area by Alemany and Courtland Streets; and to reclassify these properties from RH-2 to RH-1 and from RH-3 to RH-2; companion measure to Files 36-90-5 and 36-90-6. (Supervisors Maher and Walker)

File 36-90-6, Ordinance No.

(Disapproved by City Planning Commission Resolution No. 12080.)

Supervisor Maher, seconded by Supervisor Britt, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Kennedy - 2.

Recommendation of City Services Committee

Finally Passed

[Video Display Terminal]

Ordinance amending Health Code, to exempt fixed console CADD hardware equipment from the definition of terminal; to apply certain of the workstation standard provisions prospectively, beginning one year after Article 23 becomes effective and only to equipment purchased; to require upgrading of existing equipment in stages, to begin thirty months and to be completed forty-eight months after Article 23 becomes effective; and to eliminate the requirement that

employers provide a written explanation to each VDT operator of why no alternative work can be provided, if it cannot be provided.  
(Supervisor Alioto)

File 118-90-5.3, Ordinance No. 17-91

(Amends Sections 1302, 1304 and 1305.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Maher, Migden, Shelley, Ward - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Alioto, Kennedy - 2.

#### NEW BUSINESS

##### From the Department of Public Works

##### Adopted

[New Condominium Project]

Motion approving final map of 1000 Divisadero Street, a condominium project, being a resubdivision of Lot 13 in Assessor's Block 1154; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-1

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Kennedy - 2.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ace Washington;  
Robert Daniels.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or by a unanimous vote if only six

or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolution. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a grant not to exceed \$7,000,000 from the Health Resources and Services Administration, to fund the Comprehensive Aids Resources Emergency (CARE) Disaster Relief Grant program. (Supervisor Britt)

File 146-90-88.1, Resolution No. 66-91

(January 7, 1991 - Introduced in Board for consideration on January 14, 1991.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Larkin Street, for a street fair celebrating the Lunar New Year; and providing for insurance. (Supervisor Britt)

File 42-91-4, Resolution No. 65-91

(Larkin Street, between Eddy and Ellis Streets, on Saturday, February 16, 1991, from 9:00 a.m. to 6:00 p.m.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Hsieh, Maher - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-2, Resolution No. 61-91

(Mayor Art Agnos, January 13 - 14; Angela Alioto, member, Board of Supervisors, January 9 - 25; Rand Castile, Director, Asian Art Museum, December 19 - 28, 1990 and January 25 - February 4, 1991; Kenneth Dowlin, City Librarian, January 11 - 15; Thomas Elzey, General Manager, Public Utilities Commission, February 3 - 7; Leonard Graff, member, Human Rights Commission, January 7 - 21; May Jaber, member, Human Rights Commission, December 14 - 17; James Morales, President, City Planning Commission, December 15, 1990 - January 11, 1991; Boyd Stephens, Chief Medical Examiner-Coroner, May 10 - 12, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[Gubernatorial Inauguration Ceremony]

Resolution condemning alleged physical, verbal, emotional abuses by the Sacramento County Sheriff's Department on protesters during the January 7th gubernatorial inauguration ceremony; calling on the State Legislative Delegation and the Sacramento Mayor, Board of Supervisors and Sheriff's Department to fully investigate this incident.

File 12-91-2, Resolution No. 62-91

Supervisors Maher, Britt, Achtenberg, Migden, Hallinan, Hsieh, Gonzalez, Ward, Shelley presented for immediate adoption.

Adopted.

[Policy - Sanctuary]

Resolution declaring the City and County of San Francisco to be a sanctuary for all persons who for moral, ethical or religious reasons cannot participate in war.

File 43-91-1, Resolution No. 63-91

Supervisors Britt, Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward presented for immediate adoption.

Adopted.

[Policy - Civil Rights]

Resolution declaring the policy that the City and County of San Francisco will continue to support and protect the civil rights of the Arab-American community.

File 43-91-2, Resolution No. 64-91

Supervisors Britt, Achtenberg, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Hsieh, Maher - 3.

EMERGENCY CALENDAR

Finally Passed

[Government Funding]

Ordinance appropriating \$4,000,000 Department of Public Health, for contribution to agency fund (California Medical Assistance Commission), for fiscal year 1990-91; an emergency ordinance. (Controller)

File 101-90-44, Ordinance No. 18-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Hsieh - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Street Closing]

Resolution authorizing temporary closing of a portion of Powell Street, between Columbus Avenue and Union Street, on Monday, February 18, 1991, from 11:00 a.m. to 4:00 p.m. for the 15th Annual

Penny Pitch Contest. (Supervisor Maher presented.) Referred to Board January 28, 1991 Immediate Adoption Calendar.

File 42-91-5

Referred to Committee

[Increase in Caltrain Frequency]  
Resolution supporting the increase in Caltrain frequency.  
(Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee.

File 171-91-2

Requests for Hearings

File 101-90-44.1, By Supervisor Britt: To consider the Disproportionate Share and Emergency Services Fund program (SB 1255). Referred to Finance Committee.

File 146-90-8.2, By Supervisor Britt: Hearing to consider the \$7,000,000 Comprehensive Aids Resources Emergency (CARE) Disaster Relief grant program. Referred to Finance Committee.

File 20-91-1, By Supervisor Maher: To consider enacting legislation to permit a left turn from Broadway into North Beach, eastbound, between the Broadway Tunnel and Montgomery Street. Referred to Economic and Social Policy Committee.

File 171-91-1, By Supervisor Hsieh: To consider whether to increase the penalty fee for violation of California Vehicle Code Section 22522 which prohibits blocking any sidewalk access ramp. Referred to Economic and Social Policy Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hsieh, that letters be sent to his Honor, the Mayor, and the Chief Administrative Officer inquiring about the status of efforts to inspect City buildings for asbestos-containing materials with a request for a status report that includes the number of asbestos inspections completed, the number yet to be performed and a summary of the findings to date to be provided within eight weeks.

By Supervisors Hsieh, Migden, Gonzalez, Ward, Maher, Hallinan, Shelley, Achtenberg, Britt, that letter be sent to the Director, Purchasing Department, inquiring about the decision to award the janitorial services contract for the Ferry Building to a firm other than the one that has been servicing the building for over twenty years and requesting a response prior to the time the contract takes effect.



By Supervisor Ward, that letter be sent to Chief of Police inquiring what role the San Francisco Police Department plays at monitoring demonstrations at the Federal Building, what are the costs to the City and does the Federal Government reimburse the City.

By Supervisor Britt, that letter be sent to the Honorable Police Commission requesting hearing be held to consider policy question around police sweeps.

By Supervisor Maher, that City Attorney prepare appropriate legislation to enact traffic regulation to permit a left turn from Broadway into North Beach, eastbound, between the Broadway Tunnel and Montgomery Street.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Germaine DuBois Hormel (Supervisor Ward)  
Nobie Morgan (Supervisor Achtenberg)

File 2-91-2

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:18 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, January 14, 1991

Approved by the Board of Supervisors on October 7, 1991

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors







22/91

Vol. 86

No. 3

Tuesday, January 22, 1991

# Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

---

Tuesday, January 22, 1991 - 2:00 p.m.

---

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Noted absent at first roll call:

Supervisors Alioto, Britt, Maher - 3.

Quorum present.

Supervisor Alioto excused, on official leave of absence.

Supervisor Britt was noted present at 2:21 p.m.

Supervisor Maher was noted present at 2:14 p.m.

CONSENT CALENDAR

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$6,376 Board of Supervisors, for other fixed charges (Association of Bay Area Governments Memorandum of Understanding to create Advisory Hazardous Waste Management facility Allocation Committee), for fiscal year 1990-91. (Controller)

File 101-90-38, Ordinance No.

Passed for second reading.

Tuesday, January 22, 1991

[Government Funding]

Ordinance appropriating \$55,000,000 San Francisco Unified School District, for various capital improvement projects, for fiscal year 1990-91. (Controller)

File 101-90-39, Ordinance No.

Passed for second reading.

Adopted

[Acceptance of Gift]

Resolution accepting gift of one (1) 1990 Chevrolet Durango Pick Up Truck valued at \$13,500 from Stanley Tools, for use by the Recreation and Park Department. (Recreation and Park Department)

File 38-90-18, Resolution No. 73-91

Adopted.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Heidi Schaeffer against the City and County by payment of \$8,153. (City Attorney)

File 45-90-59, Ordinance No.

(Municipal Court No. 014-284.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Bing Hing Ko, et al., against the City and County by payment of \$11,500. (City Attorney)

File 45-90-60, Ordinance No.

(Superior Court No. 864-198.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of JoMarie Franz against the City and County by payment of \$40,000. (City Attorney)

File 45-90-61, Ordinance No.

Tuesday, January 22, 1991

(Superior Court No. 918-377.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of N. Lee Ormasa against the City and County by payment of \$15,000. (City Attorney)

File 45-90-62, Ordinance No.

(Superior Court No. 901-617.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Hartford Insurance Company, intervenor, in the "Leola Gardner v. the City and County" by payment of \$18,500. (City Attorney)

File 45-90-63, Ordinance No.

(Superior Court No. 833-652.)

Passed for second reading.

Adopted

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Edward Pollock by payment of \$7,500. (City Attorney)

File 48-90-26, Resolution No. 74-91

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Britt, Maher - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Tuesday, January 22, 1991

Recommendation of Economic and Social Policy Committee

Finally Passed

(Supervisor Kennedy dissenting in Committee.)

[Evictions by Tenants in Common]

Ordinance amending Administrative Code, to provide that landlords who become owners of record more than 30 days after the Mayor has approved this ordinance may not evict tenants on the grounds that the landlord or a relative intends to occupy the unit unless the landlord owns at least twenty-five percent of the building.  
(Supervisors Hallinan, Gonzalez)

File 109-90-2, Ordinance No. 30-91

(Amends Section 37.9.)

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 7.

Noes: Supervisors Hsieh, Kennedy, Maher - 3.

Absent: Supervisor Alioto - 1.

The President reassumed the Chair.

From Economic and Social Policy Committee Without Recommendations

Finally Passed

[Bernal Heights Special Use District]

Ordinance amending the City Planning Code, to establish the Bernal Heights Special Use District and impose restrictions on property within that District, including height, set-back, rear yard, parking, curb cuts, garage door width, and demolition of residential structures; and adopting findings. (Supervisors Maher and Walker)

File 81-90-4, Ordinance No. 32-91

(Adds Sections 242, 134, 252.1;

Amends Sections 102, 132, 154, 155 and Table 151 of Section 151 to provide reference to Section 242 of this code.)

Finally passed by the following vote:

Tuesday, January 22, 1991

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Kennedy - 1.

Absent: Supervisor Alioto - 1.

[Bernal Heights Special Use District Map Change]  
Ordinance amending the Zoning Map to establish the boundaries for the Bernal Heights Special Use District in the area generally bounded by Army Street, Mission Street, Alemany Boulevard and James Lick Freeway. (Supervisors Maher, Walker)

File 36-90-5, Ordinance No. 31-91

(Approved by City Planning Commission Resolution No. 12080.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Kennedy - 1.

Absent: Supervisor Alioto - 1.

#### NEW BUSINESS

#### Recommendations of Finance Committee

#### Adopted

[Emergency Repair]  
Resolution approving emergency expenditure for repair to water feeder mains and resulting damage to El Camino Real/State Highway 82 in the City of Menlo Park. (Public Utilities Commission)

File 28-90-22, Resolution No. 72-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

[Lease of Real Property]  
Resolution authorizing lease of real property at 1155 Market Street, sixth floor, for the Controller's Information Services Division. (Real Estate Department)

File 64-90-49, Resolution No. 75-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

[Federal Energy Grant]

Resolution authorizing the Public Utilities Commission/Bureau of Energy Conservation to apply for, accept and expend funds in the amount of \$83,000 from the U.S. Department of Energy and the Urban Consortium for energy management activities in the commercial and residential sector; providing for ratification of action previously taken. (Public Utilities Commission)

File 94-90-11, Resolution No. 81-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

Recommendations of Administration and Oversight Committee

Adopted

[Appointment]

Resolution appointing member to the Adult Day Health Care Planning Council, for unexpired portion of three-year term ending September 30, 1991. (Administration and Oversight Committee)

File 92-90-6, Resolution No. 76-91

(Bob Cowan, representing the County Department of Social Services, vice June W. Keller, resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

[Appointments]

Resolution appointing members to the Task Force on Transfer Benefits. (Administration and Oversight Committee)

File 92-90-26.3, Resolution No. 77-91

Tuesday, January 22, 1991

(William Aguiar, representing employee association;  
Jaykee M. Ford, representing employee association.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh,  
Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

[Appointment]

Resolution appointing member to the North Coastal Counties  
Supervisors Association, for one year term ending December 31,  
1991. (Administration and Oversight Committee)

File 92-90-43, Resolution No. 78-91

(Supervisor Terence Hallinan, vice Supervisor Nancy G. Walker,  
resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh,  
Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

[Appointment]

Resolution appointing member to the Park and Open Space Advisory  
Committee, for unexpired portion of a two-year term ending July 15,  
1991. (Administration and Oversight Committee)

File 92-90-46, Resolution No. 79-91

(Greg Gaar, California Native Plant Society, vice Robert Cramer,  
deceased.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh,  
Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

[Appointment]

Resolution appointing member to the General Assembly, Association of  
Bay Area Governments, for a two-year term ending June 1, 1992.  
(Administration and Oversight Committee)

File 92-90-60, Resolution No. 80-91



Tuesday, January 22, 1991

(Supervisor Angela Alioto, vice Supervisor Jim Gonzalez, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

From the Department of Public Works

Adopted as Amended

[Hunters Point Redevelopment Area Project]  
Motion approving final map of City View, being a resubdivision of Lot 5 in Assessor's Block 4711; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-2

The Clerk stated that the Board of Supervisors, by motion, cannot accept and declare the parcel of land as open public street. Therefore a motion to delete such language would be in order.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend page one, lines 21 through 24 by deleting the entire "further resolved clause".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

John O'Brien;	Sarah Fee;	Robert Wilson;
Ray Matheison;	Josh Brandon;	Lyndon Freeman;
John Vance;	Alice Brimstone;	Joe O'Donaghue;
Dan Anderson;	Keith McHenry;	Ace Washington;
Joe Smith;	Mario Garcia;	Joan Mendleson.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-3, Resolution No. 67-91

(Mayor Art Agnos, January 22 - 28; Willie B. Kennedy, member, Board of Supervisors, January 11 - 14 and 17 - 21; Arnold Chin, member, Parking and Traffic Commission, January 16 - 28; Doug Engmann, member, City Planning Commission, January 3 - 13; H. Welton Flynn, member, Public Utilities Commission, January 24 - 28; May P. Jaber, member, Human Rights Commission, January 19 - 23; Eddie Powell, member, Film and Video Arts Commission, January 19 - 26; Gregg Snazelle, member, Film and Video Arts Commission, January 4 - 6, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[Alamo Square/Buena Vista North Special Use District]

Resolution extending to April 1, 1991, the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors to establish the Alamo Square/Buena Vista North Special Use District.

File 81-90-2.3, Resolution No. 70-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Commendation]

Resolution commending "We Do The Work" for producing a series for public television on the lives, issues and history of working people.

File 4-91-1, Resolution No. 68-91

Supervisor Gonzalez presented for immediate adoption.

Adopted.

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[Official Invitation]

Resolution extending an official invitation to the Honorable Gerry Adams, M.P., to visit the City and County of San Francisco in order to be honorary Grand Marshall of the 1991 San Francisco Saint Patrick's Day Parade.

File 4-91-2, Resolution No. 69-91

Supervisor Hallinan presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Gonzalez, Maher - 3.

Recess

At the request of President Ward, the Board recessed at the hour of 3:57 p.m. to convene in closed session pursuant to Government Code Section 54956.9(b)(1) to meet with the City Attorney concerning litigation of Festival 2000 Corporation. Subsequent to the initiation of bankruptcy proceedings by the Festival 2000 Corporation, the City has been threatened with litigation by creditors of the corporation, seeking reimbursement for the services creditors provided to the Festival 2000 Corporation.

Reconvening of the Board

The Board, at the hour of 5.03 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Migden, Shelley, Ward - 8.

Noted absent:

Supervisors Alioto, Kennedy, Maher - 3.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session, as provided in the Government Code, with the City Attorney concerning significant exposure to litigation.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Parking of Contractors' Vehicles]

Ordinance amending Traffic Code by amending Section 202.C to authorize issuance of additional contractors permits to licensed contractors ineligible for exclusive temporary use of parking meter zones under Section 202.E and to transfer from the Tax Collector to the Director of Parking and Traffic the authority to issue permits to use parking meters zones for construction vehicles. (Supervisor Maher presented.) Referred to Economic and Social Policy Committee.

File 124-91-1

Referred to Committee

[Civil Service System Reform Advisory Committee]

Resolution creating the Civil Service System Reform Advisory Committee to review data relating to employees of the City and County and rules and policies established by the Civil Service Commission and report findings and recommendations to the Board of Supervisors. (Supervisor Kennedy presented.) Referred to Administration and Oversight Committee.

File 174-91-1

[Lesbian/Gay Military Personnel]

Resolution requesting the City Attorney to act as amicus curiae for San Francisco residents who are lesbian or gay, who serve in the military during Operation Desert Storm, and who are dismissed from military services subsequent to the termination of hostilities on the basis of their sexual orientation. (Supervisor Maher presented.) Referred to Administration and Oversight Committee.

File 179-91-1

[Artists-Writers Peace Vigil]

Resolution permitting an artists-writers peace vigil for a period of three weeks in the northwest grassy square of United Nations Plaza. (Supervisor Hallinan presented.) Referred to City Services Committee with request it be considered as soon as possible.

File 193-91-1

Tuesday, January 22, 1991

Referred to Board

[1994 World Cup Soccer]

Resolution endorsing the World Cup San Francisco Bay Area 1994 bid to host 1994 World Cup final tournament competition at both Candlestick Park and Stanford Stadium, urging the Mayor to support the bid and request all City departments to facilitate the successful bidding for and staging of 1994 World Cup matches at Candlestick Park, and urging the Chief Administrative Officer to provide Hotel Tax Funds to enable World Cup San Francisco Bay Area 1994 to meet the May 1, 1991 bid deadline. (Supervisor Gonzalez presented.) Referred to Board January 28, 1991 Immediate Adoption Calendar.

File 205-90-2

Request for Hearing

File 180-91-1, By Supervisor Hsieh: To consider the Workers' Compensation Report issued by the Risk Management Office and to enact legislation urging Department Heads to implement recommendations made by the Risk Manager to reduce workers' compensation claims. Referred to Administration and Oversight Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hsieh, that City Attorney prepare appropriate legislation urging Department Heads to implement recommendations made by Risk Manager to reduce workers' compensation claims.

By Supervisor Kennedy, that letter of inquiry be sent to the Honorable City Planning Commission concerning proposed legislation to regulate bed and breakfast inns to determine why owners of bed and breakfast inns would be required to turn over financial statements and improvement estimates.

By Supervisor Kennedy, that City Attorney review proposed legislation to regulate bed and breakfast inns to determine the legality of requiring owners of bed and breakfast inns to turn over financial statements and improvement estimates.

By Supervisor Kennedy, that letter be sent to his Honor, Mayor Agnos, concerning possible visit, at the invitation of the Chamber of Commerce, of former Prime Minister of Great Britain, Margaret Thatcher, and suggesting that the Chamber be responsible for her protection and payment to the City for police services if she accepts the invitation.

By Supervisors Hallinan, Gonzalez and Shelley, that City Attorney review, prepare and approve as to form proposed amendment to Administrative Code to define "public work or improvement" as

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including construction work done under private contract under certain conditions.

By Supervisor Migden, that letter of inquiry be sent to the Honorable Public Utilities Commission concerning Federal energy grant for energy management activities in the commercial and residential sector to request description of project pertaining to the youth training component and the department's plans for implementation.

By Supervisor Gonzalez, that letter be sent to Director of Health to request report describing and stating justification of all administrative positions in the Department of Public Health, specifically administrative positions in the Division of Mental Health, Substance Abuse and Forensic Services.

By Supervisor Hallinan, proposed amendment of the whole to be considered at the January 28, 1991 Board meeting, entitled: "Resolution urging the Mayor to include an appropriation of \$150,000 in the fiscal year 1991-92 budget for the purpose of funding a preliminary feasibility study of the municipalization of PG&E facilities and services.". File 100-90-14.

#### Statement by Supervisor Kennedy

Today is the 18th Anniversary of Roe v. Wade, the landmark decision by the Supreme Court of the United States spelling out that a woman has a legal right of choice on abortion.

This Board has always supported women's rights. Now more than ever, we must remain vigilant in protecting this hard fought right for all women. I respectfully request that we adjourn today's meeting in the memory of those countless women who have died from abortions when they were "illegal".

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Tim Twomey (By the entire Board)

Marcella Stack (Supervisor Hallinan)

The women who died from abortions when they were illegal  
(Supervisor Kennedy)

File 2-91-3

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 5:04 p.m. adjourned.

Tuesday, January 22, 1991

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.



Tuesday, January 22, 1991

Approved by the Board of Supervisors on October 7, 1991

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors







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2 Vol. 86

No. 4

Monday, January 28, 1991

# Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, January 28, 1991 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Hallinan, Hsieh, Migden, Shelley, Ward - 7.

Noted absent at first roll call:

Supervisors Alioto, Gonzalez, Kennedy, Maher - 4.

Quorum present.

Supervisor Alioto was noted present at 2:12 p.m.

Supervisor Kennedy was noted present at 3:02 p.m.

Supervisor Maher was noted present at 2:12 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Hsieh, moved that the Journals of Proceedings for Monday, July 9 and 16, 1990 be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Britt, Hallinan, Hsieh, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Gonzalez, Kennedy, Maher - 4.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$6,376 Board of Supervisors, for other fixed charges (Association of Bay Area Governments Memorandum of Understanding to create Advisory Hazardous Waste Management facility Allocation Committee), for fiscal year 1990-91. (Controller)

File 101-90-38, Ordinance No. 38-91

Finally passed.

[Government Funding]

Ordinance appropriating \$55,000,000 San Francisco Unified School District, for various capital improvement projects, for fiscal year 1990-91. (Controller)

File 101-90-39, Ordinance No. 39-91

Finally passed.

Passed for Second Reading

[Lease Amendment]

Ordinance approving amendment to Lease L-10892 (South Beach Harbor) between the Redevelopment Agency and the City and County, acting by and through the Port Commission. (Port)

File 65-90-14, Ordinance No.

Passed for second reading.

Adopted

[Grant - Federal]

Resolution authorizing the Department of Public Health, Bureau of Health Promotion and Education, to accept and expend a grant of \$5,200 from the Centers for Disease Control for Conference Support Grant Program to the residents of San Francisco. (Mayor)

File 146-90-107, Resolution No. 92-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for a supplemental grant not to exceed \$8,000,000 from the Health Resources and Services Administration to augment the



Monday, January 28, 1991

Comprehensive AIDS Resources Emergency (CARE) Disaster Relief Grant Program for the residents of San Francisco. (Mayor)

File 146-90-109, Resolution No. 94-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of \$1,685,616 from the Department of Health and Human Services, Centers for Disease Control, to fund a continuation of the AIDS Surveillance Project for the residents of San Francisco. (Mayor)

File 146-90-110, Resolution No. 95-91

Adopted.

[Agreement]

Resolution authorizing the execution of an Agreement between the City and County and the State of California Department of Social Services which shall provide funding in the amount of \$243,068 to the City and County for providing Foster Family Home Licensing Services for fiscal year 1990-1991, commencing July, 1990. (Department of Social Services)

File 172-90-32, Resolution No. 105-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health to accept and expend an allocation in the amount of \$30,861 from the State Department of Health Services for the Federal Preventive Health and Health Services Block Grant Funding - 314 (d) Health Incentive Program - Federal Fiscal Year (FFY) 1991 (to provide health education materials, supplies and travel costs for health administrative and technical staff). (Department of Public Health)

File 146-91-2, Resolution No. 91-91

Adopted.

#### Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Heidi Schaeffer against the City and County by payment of \$8,153. (City Attorney)

File 45-90-59, Ordinance No. 33-91

(Municipal Court No. 014-284.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Bing Hing Ko, et al., against the City and County by payment of \$11,500. (City Attorney)

File 45-90-60, Ordinance No. 34-91

(Superior Court No. 864-198.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of JoMarie Franz against the City and County by payment of \$40,000. (City Attorney)

File 45-90-61, Ordinance No. 35-91

(Superior Court No. 918-377.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of N. Lee Ormasa against the City and County by payment of \$15,000. (City Attorney)

File 45-90-62, Ordinance No. 36-91

(Superior Court No. 901-617.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Hartford Insurance Company, intervenor, in the "Leola Gardner v. the City and County" by payment of \$18,500. (City Attorney)

File 45-90-63, Ordinance No. 37-91

(Superior Court No. 833-652.)

Finally passed.

Monday, January 28, 1991

Recommendations of Economic and Social Policy Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections. (Department of Parking and Traffic)

File 18-90-22, Resolution No. 86-91

(Stop Signs - Establish

Utah Street and Fifteenth Street, southeast and northwest corners, stopping Utah Street traffic.

Forty-Fifth Avenue and Vicente Street, southeast and northwest corners, stopping Forty-Fifth Avenue traffic (makes this an all-way STOP).

Forty-Sixth Avenue and Anza Street, southeast and northwest corners, stopping Forty-Sixth Avenue traffic.

Magellan Avenue and Dorantes Avenue, northwest corner, stopping Magellan Avenue traffic (makes this a two-way STOP).

Bocana Street and Eugenia Avenue, southeast and northwest corners, stopping Bocana Street traffic (makes this an all-way STOP).)

Adopted.

[Parking of Vehicles]

Resolution extending boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Supervisor Kennedy)

File 40-90-11, Resolution No. 87-91

(Broderick Street, between Haight and Waller Streets, both sides.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Britt, Hallinan, Hsieh, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Gonzalez, Kennedy, Maher - 4.

Monday, January 28, 1991

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Adopted as Amended

(Supervisor Maher dissenting in Committee.)

[Municipalization of PG&E]

Resolution urging the Mayor to include an appropriation of ((funds)) \$150,000 in the fiscal year 1991-92 budget for the purpose of funding a preliminary feasibility study of the municipalization of Pacific Gas and Electric facilities and services. (Supervisor Hallinan)

File 100-90-14, Resolution No. 112-91

Supervisor Hallinan, seconded by Supervisor Alioto, moved an amendment of the whole entitled, "Resolution urging the Mayor to include an appropriation of \$150,000 in the fiscal year 1991-92 budget for the purpose of funding a preliminary feasibility study of the municipalization of Pacific Gas and Electric facilities and services."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Gonzalez - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Gonzalez - 1.

From Finance Committee Without Recommendation

Finally Passed

Monday, January 28, 1991

(Supervisor Hallinan dissenting in Committee.)

[Sale of Surplus Property]

Ordinance authorizing the sale of City-owned property identified as Lot 32 in Assessor's Block 3592 (an industrial area between 18th and 19th Streets and between Harrison and Folsom Streets) to Pacific Gas and Electric Company; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 96-90-6, Ordinance No. 40-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Maher, Migden, Shelley, Ward - 7.

Noes: Supervisors Hallinan, Hsieh - 2.

Absent: Supervisors Gonzalez, Kennedy - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$8,505, Public Health, for permanent salaries - miscellaneous and rescinding \$8,505 from permanent salaries - miscellaneous, for the deletion of one (1) position, for fiscal year 1990-91. (Controller)

File 101-90-40, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

[Public Employment]

Ordinance amending Annual Salary Ordinance No. 288-90, Department of Public Health, Central Office, reflecting the deletion of one position; companion measure to File 101-90-40. (Civil Service Commission)

File 102-90-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

[Government Funding]

Ordinance appropriating \$12,989, Board of Supervisors, for services of other departments Controller - Audit Service, for fiscal year 1990-91; and providing ratification of action previously taken (for financial review of the City Federal Emergency Management Agency grants related to the 1989 Loma Prieta earthquake). (Controller)

File 101-90-41, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

Adopted

[Approval of Final Negative Declaration]

Resolution adopting Final Negative Declaration finding and determining that paving and leasing of two vacant seawalls for surface parking lots will have no significant impact on the environment and adopting and incorporating findings of the Final Negative Declaration. (Port)

File 65-90-13, Resolution No. 90-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

Passed for Second Reading as Amended

[Lease of Real Property]

Ordinance approving a two year lease with Excelsior/Bay Area Parking Corporation for the operation of temporary surface parking lots on seawall lots controlled by the Port Commission; companion measure to File 65-90-13. (Port)

File 65-90-13.1, Ordinance No.

Supervisor Shelley, seconded by Supervisor Britt, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Monday, January 28, 1991

Absent: Supervisors Gonzalez, Kennedy - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

#### Passed for Second Reading

[Membership - Port Commission]

Ordinance amending Administrative Code, to add organizations to the membership list of the Port Commission. (Port)

File 97-90-65, Ordinance No.

(Amends Section 16.6-43 and Deletes Section 16.6-43.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

#### Adopted

[Lombard Street Garage - Award of Lease]

Resolution approving award of a lease for the operation of the Lombard Parking Garage to Allright Parking/San Francisco.  
(Department of Parking and Traffic)

File 65-90-12, Resolution No. 89-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden, Shelley, Ward - 8.

Absent: Supervisors Gonzalez, Kennedy, Maher - 3.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Epidemiology and Disease Control, Sexually Transmitted Disease Control, to apply for a grant of \$522,574 from the Centers for Disease Control for the continuation of the operation of the San Francisco Sexually Transmitted Disease Prevention and Training Center; and providing for ratification of action previously taken. (Mayor)

File 146-90-108, Resolution No. 93-91



Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Gonzalez, Hsieh, Kennedy, - 3.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of \$4,747,300 from the Department of Health and Human Services, Centers for Disease Control, to fund a continuation of the AIDS/HIV Prevention Project for the residents of San Francisco. (Mayor)

File 146-90-111, Resolution No. 96-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Gonzalez, Hsieh, Kennedy, - 3.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Central Administration, MIA Program, to accept and expend the Fiscal Year 1990-91 allocation of up to \$2,500,000 from the State Department of Health Services for Legalized Indigent Medical Assistance (LIMA) funds under the Immigration Reform Act (IRCA). (Mayor)

File 146-90-112, Resolution No. 97-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of \$643,200 from the California Department of Health Services to fund a continuation of the AIDS Pilot Care Project component of the 1991-1992 Master Grant Agreement for the residents of San Francisco. (Mayor)

File 146-90-113, Resolution No. 98-91

Adopted by the following vote:



Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for a grant of \$432,520 from the Stuart Foundation and the Haas Fund for mental health services to the children at the Child Protection Center, San Francisco General Hospital. (Mayor)

File 146-90-114, Resolution No. 99-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Tom Waddell Clinic to apply for a grant of \$50,000 from AIDS Task Force Northern California Grantmakers for Public Health Nurse for medical outreach to the clients and target population of the Tom Waddell Clinic; and providing for ratification of action previously taken. (Department of Public Health)

File 146-90-115, Resolution No. 100-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau to apply for a grant of \$350,600 from the State Department of Health Services, Office of Family Planning for provision of Family Planning Services to the residents of San Francisco; and providing for ratification of action previously taken. (Department of Public Health)

File 146-90-116, Resolution No. 101-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for a grant of \$10,060 from several private foundations for perinatal Hepatitis B community education to the residents of San Francisco; and providing for ratification of action previously taken. (Department of Public Health)

File 146-90-117, Resolution No. 102-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Family Health Bureau to apply for a grant of \$150,000 from the State Department of Health Services, Maternal Child Health Branch to provide Perinatal Outreach Services to residents of San Francisco; and providing for ratification of action previously taken. (Department of Public Health)

File 146-90-118, Resolution No. 103-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

[Grant - Federal Funds]

Resolution authorizing the Department of Social Services to apply for and accept a grant in the amount of \$766,842 from the Department of Health and Human Services, Office of Human Development Services for Transitional Residential Infant Program; and providing for ratification of action previously taken. (Department of Social Services)

File 153-90-8, Resolution No. 104-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

[Jurisdictional Transfer]

Resolution transferring jurisdiction from the Office of the Mayor to the Department of Public Works of Lot 6, Block 4720; Lot 7, Block 4710; Lot 7, Block 4714 and Lot 6, Block 4711 (One Cashmere Street, 200 Cashmere Street, 1030 Oakdale Avenue, 100 Whitney Young Circle to be administered by the Southeast Community Facility Commission). (Real Estate Department)

File 199-90-3, Resolution No. 106-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

Recommendation of Economic and Social Policy Committee

Passed for Second Reading as Amended

[Cable Television Franchise Revisions]

Ordinance amending Ordinance No. 105-64 as amended, by amending Section 1, relating to Cable Television Franchise, by extending filing deadline for franchise amendment recommendations to February 1, 1991. (Clerk of the Board)

File 32-90-4, Ordinance No.

Supervisor Britt, seconded by Supervisor Achtenberg, moved to amend title, line two, after "105-64" by inserting "AS AMENDED,".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Dehnert Queen.

Monday, January 28, 1991

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or by a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolution. Eight votes (or a unanimous vote if only six or seven members are present is required.

Adopted

[Street Closing]

Resolution authorizing temporary closing of a portion of Powell Street, for the 15th Annual Penny Pitch Contest. (Supervisor Maher)

File 42-91-5, Resolution No. 88-91

(Powell Street, between Columbus Avenue and Union Street, on Monday, February 18, 1991, from 11:00 a.m. to 4:00 p.m.)

(January 14, 1991 - Introduced in Board for consideration on January 28, 1991.)

Adopted.

[1994 World Cup Soccer]

Resolution endorsing the World Cup San Francisco Bay Area 1994 bid to host 1994 World Cup final tournament competition at both Candlestick Park and Stanford Stadium, urging the Mayor to support the bid and request all City departments to facilitate the successful bidding for and staging of 1994 World Cup matches at Candlestick Park, and urging the Chief Administrative Officer to provide Hotel Tax Funds to enable World Cup San Francisco Bay Area 1994 to meet the May 1, 1991 bid deadline. (Supervisor Gonzalez)

File 205-90-2, Resolution No. 107-91

(January 22, 1991 - Introduced in Board for consideration on January 28, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Britt, Gonzalez, Hsieh, Maher - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Alioto requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Referred to Committee

[Hazardous Waste Disposal]  
Resolution urging the Chief Administrative Officer to implement a Small-Quantity Generator Hazardous Waste Disposal Program as soon as possible. (Supervisors Alioto, Shelley)

File 128-91-1, Resolution No.

Supervisor Alioto requested subject matter be referred to Economic and Social Policy Committee.

No objection and Clerk directed to comply.

The Board resumed its consideration of the following item on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]  
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-4, Resolution No. 82-91

(Peter Ashe, member, Retirement Board, January 31 - February 1; Raymond J. Baxter, Director of Health, January 24 - 28; Joe Grubb, Executive Director, Rent Board, February 21 - 28; Willard Harris, member, Commission on the Aging, January 11 - February 6; Michael Huerta, Executive Director, Port, January 19 - 24; Trent Orr, member, Recreation and Park Commission, January 24 - 27; Jill Schlichtmann, member, Rent Board, February 16 - 24; Thelma Shelley, Managing Director, War Memorial; February 3 - 6, 1991.)

Adopted.

Monday, January 28, 1991

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[Proclamation - California Community Dispute Services]

Resolution urging the Mayor to declare April 7 through April 13, 1991, San Francisco Dispute Mediation Week.

File 4-91-3, Resolution No. 83-91

Supervisor Alioto presented for immediate adoption.

Adopted.

[Federal Legislation]

Resolution endorsing the Pony Express National Historic Trail between St. Joseph, Missouri and San Francisco, California.

File 13-91-2, Resolution No. 84-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Military Personnel in the Gulf]

Resolution supporting women and men serving in the gulf crisis; urging, his Honor, the Mayor, to urge all San Francisco City and County agencies to support and assist the members of the armed services who are serving in the gulf upon their return home.

File 43-91-3, Resolution No.85-91

Supervisors Ward, Alioto, Kennedy, Migden, Gonzalez presented for immediate adoption.

Adopted.

Supervisor Gonzalez requested that the Journal of Proceedings contain the following statement: "I strongly support and would co-sponsor and vote "Aye" for Resolution 43-91-3 supporting our troops in the Persian Gulf. The decision to authorize the use of force is not the choice I would have made if I were a member of Congress. Yet since this is now a war supported by the President and the majority of Congress, I stand in unity with my Country and my City in supporting our troops in their mission, and their safe and speedy return home. May God Bless and Protect them and their families."

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Migden, Shelley, Ward - 8.



Absent: Supervisors Gonzalez, Hsieh, Maher - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Rent Ordinance]

Substitute ordinance amending Administrative Code by amending Sections 37.3 and 37.8 to delete the separate requirement that tenants be notified of what portion of rent increase reflects any banked increase from prior years, to establish a mandatory time limit for the filing of certain tenant petitions, to establish a mandatory time limit for appeals, with good cause exception, to establish a statute of limitations for judicial review, and to permit landlords and tenants to challenge rent payment, refund, offsetting or adding prior to their taking effect and to correct clerical errors. (Supervisor Britt presented.) Referred to Economic and Social Policy Committee.

File 109-90-3

[Festival 2000]

Resolution urging the Mayor and the Chief Administrative Officer to offer all possible assistance to Hotel Tax Funds arts recipients and San Francisco artists who have sustained financial harm as a result of their participation in Festival 2000.

File 197-90-2.2

Supervisor Migden presented for immediate adoption.

At the request of Supervisor Hallinan, referred to Economic and Social Policy Committee.

Referred to Committee

[Task Force - Children's Home Society of California]

Resolution authorizing and requesting the President of the Board of Supervisors to appoint a task force to review the current relations between the Children's Home Society of California and the American Federation of State, County and Municipal Employees, Local 829 (AFSCME 829), and requiring the task force to submit to the Board of Supervisors a written report presenting recommendations the task force may have. (Supervisor Alioto presented.) Referred to City Services Committee.

File 174-91-2

Monday, January 28, 1991

[Trial Court Funding]

Resolution electing to become subject to the provisions of the State Trial Court Funding program for the period of July 1, 1991 through June 30, 1992. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 187-91-1

Request for Hearing

File 165-91-1, By Supervisor Hallinan: To consider which requested management audits and special projects should be performed by the Budget Analyst. Referred to Administration and Oversight Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that letter of inquiry be sent to Executive Director, Parking and Traffic Department, to determine whether a survey of downtown motorcycle/scooter parking needs has been performed; if expanded motorcycle/scooter parking has been considered in this area and what impact such increased use would have on the environment (traffic, pollution, etc.).

By Supervisor Hsieh, that letter be sent to his Honor, the Mayor, urging him to urge the Executive Director, Parking and Traffic Department, to conduct a study to determine the potential use of the Lombard Street parking garage site, to include but not limited to potential sale or lease to a private developer, in order to realize a higher yield and to request a report within six months.

By Supervisor Migden, that letter be sent to General Manager, Department of Social Services, concerning grant in the amount of \$766,842 from the Department of Health and Human Services, Office of Human Development Services for Transitional Residential Infant Program, to inquire why there were no indirect costs consideration.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Sidney Young, Jr. (Supervisor Ward)

File 2-91-4

Unanimously adopted by a rising vote.



Monday, January 28, 1991

ADJOURNMENT

There being no further business, the Board at the hour of 3:25 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, January 28, 1991

Approved by the Board of Supervisors on October 15, 1991

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors





2 Vol. 86

No. 5

Monday, February 4, 1991

# Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, February 4, 1991 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Quorum present.

Pledge of Allegiance

Members of Troop 12, representing the Boy Scouts of America in celebration of Boy Scouts in Government Day, gave a brief presentation of the history of the American Flag and led the audience in the pledge of allegiance.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$8,505, Public Health, for permanent salaries - miscellaneous and rescinding \$8,505 from permanent salaries - miscellaneous, for the deletion of one (1) position, for fiscal year 1990-91. (Controller)

File 101-90-40, Ordinance No. 45-91

Finally passed.

Monday, February 4, 1991

[Public Employment]

Ordinance amending Annual Salary Ordinance No. 288-90, Department of Public Health, Central Office, reflecting the deletion of one position; companion measure to File 101-90-40. (Civil Service Commission)

File 102-90-7, Ordinance No. 46-91

Finally passed.

[Lease Amendment]

Ordinance approving amendment to Lease L-10892 (South Beach Harbor) between the Redevelopment Agency and the City and County, acting by and through the Port Commission. (Port)

File 65-90-14, Ordinance No. 43-91

Finally passed.

[Membership - Port Commission]

Ordinance amending Administrative Code, to add organizations to the membership list of the Port Commission. (Port)

File 97-90-65, Ordinance No. 44-91

(Amends Section 16.6-43 and deletes Section 16.6-43.1.)

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$310, Department of Agriculture, for services of other departments-Central Shop. (Controller)

File 101-90-51, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$300,572, Department of Public Works, for program project budget (hardship loans and administrative costs). (Controller)

File 101-90-53, Ordinance No.

Passed for second reading.



Monday, February 4, 1991

Adopted

[Grant - State Funds]

Resolution authorizing the Director of Public Works to expend up to \$2,874,199 from the State of California for roadway work on city streets in accordance with the State-Local Transportation Partnership Program (formerly Senate Bill 140). (Department of Public Works)

File 148-91-1, Resolution No. 122-91

Adopted.

[Seismic Retrofit Program - State Funds]

Resolution authorizing the Director of Public Works to execute the necessary documents to apply and accept State funds from the California Department of Transportation for completed seismic retrofit inventory work for city bridges. (Department of Public Works)

File 148-91-2, Resolution No. 123-91

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$12,989, Board of Supervisors, for services of other departments Controller - Audit Service, for fiscal year 1990-91; and providing ratification of action previously taken (for financial review of the City Federal Emergency Management Agency grants related to the 1989 Loma Prieta earthquake). (Controller)

File 101-90-41, Ordinance No. 47-91

Finally passed by the following vote:

Monday, February 4, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Passed for Second Reading As Amended

[Lease of Real Property]

Ordinance approving a two year lease with Excelsior/Bay Area Parking Corporation for the operation of temporary surface parking lots on seawall lots controlled by the Port Commission. (Port)

File 65-90-13.1, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to amend page three, line 13 by inserting the following: "K. Prior to the execution of the lease between the Executive Director of the Port and the Excelsior/BAPC, the Executive Director shall receive written assurances from Excelsior/BAPC that a copy of their payroll will be submitted within 30 days of commencing operations to the Controller and thereafter on an annual basis for certification of payment of prevailing wages.".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

#### Recommendation of Economic and Social Policy Committee

Finally Passed

[Cable Television Franchise Revisions]

Ordinance amending Ordinance No. 105-64 as amended, by amending Section 1, relating to Cable Television Franchise, by extending filing deadline for franchise amendment recommendations to February 1, 1991. (Clerk of the Board)

File 32-90-4, Ordinance No. 42-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

#### NEW BUSINESS

#### Recommendations of Finance Committee

Monday, February 4, 1991

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$16,500,000, Sheriff's Department, for various capital improvement projects (Prop A Correctional Facilities Improvement Bond); placing \$5,760,120 on reserve. (Controller)

File 101-90-43, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Government Funding]

Ordinance appropriating \$52,149, Medical Examiner's Office, for permanent salaries and related mandatory fringe benefits, for the creation of one position - 2456 Assistant Forensic Toxicologist I for fiscal year 1990-91. (Controller)

File 101-90-45, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Medical Examiner/Coroner, reflecting the addition of one new position; companion measure to File 101-90-45. (Civil Service Commission)

File 102-90-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Consideration Continued

[Government Funding]

Ordinance appropriating \$6,374,971, Port Commission, for facilities maintenance project (FEMA/OES Master Project) for fiscal year 1990-91; placing \$6,261,404 on reserve. (Controller)

File 101-90-46, Ordinance No.

Upon inquiry by Supervisor Kennedy, the Department was requested to submit report concerning how many of these contracts are going to minority/women business enterprises, will they be broken down into small projects and that progress report be submitted regarding the MBE/WBE participation on this project after one month.

Monday, February 4, 1991

Supervisor Hsieh, seconded by Supervisor Achtenberg, moved to continue consideration to February 11, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$28,800, Real Estate, for property acquisition (purchase air rights option over 456 McAllister Street, Society of California Pioneers) for fiscal year 1990-91. (Controller)

File 101-90-48, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Government Funding]

Ordinance appropriating \$6,976, District Attorney, for services of other departments-Central Shop for fiscal year 1990-91. (Controller)

File 101-90-49, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Government Funding]

Ordinance appropriating \$778, Medical Examiner, for services of other departments-Central Shop for fiscal year 1990-91. (Controller)

File 101-90-50, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Government Funding]

Ordinance appropriating \$130,175, Police Department, for services of other departments-Central Shop for fiscal year 1990-91. (Controller)

Monday, February 4, 1991

File 101-90-52, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Parking Garage Lease-Amendment and Sublease]  
Ordinance consenting to subleasing of a portion of St. Mary's Square Parking Garage; approving and authorizing execution of Fifth Amendment of St. Mary's Square Parking Garage Lease. (Real Estate Department)

File 47-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

[Grant - Federal Funds]  
Resolution amending Resolution No. 858-90, authorizing the Mayor of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$500,000 made available through the Office for Substance Abuse Prevention for a project entitled "The Community Partnership Program", by increasing the amount of the funds to be applied for, accepted and expended to \$721,186, and by extending the grant period for three additional months; placing \$237,530 on reserve. (Mayor)

File 68-90-16.1, Resolution No. 116-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Earthquake Impacts - California Seismic Safety Commission]  
Resolution authorizing the Director of Planning to accept and expend funds from the California Seismic Safety Commission totalling \$5,000 for the period November 15, 1990 to June 30, 1991. (Department of City Planning)

File 134-91-1, Resolution No. 117-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Monday, February 4, 1991

Request Granted

Supervisor Hsieh requested letters be sent to the California Seismic Safety Commission and the City Planning Department to request that each member of the Board of Supervisors be provided a copy, upon its completion, of the report describing the local impacts of the October 17, 1989 earthquake on local communities and identifying alternatives for improving State seismic policies and procedures.

No objection and Clerk directed to comply.

[Grant - State Funds]

Resolution authorizing adoption of the AB 75 Capital Outlay Plan for the City and County and expenditure of \$3,687,664 in funds from the AB 75 Capital Outlay Fund of the State for capital improvements as described in the AB 75 Capital Outlay Plan for the City and County. (Mayor)

File 146-91-4, Resolution No. 125-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for, accept and expend a grant of \$32,242 from the University of California, San Francisco, to fund a portion of the Stress and Coping Among AIDS Caregivers Project; providing for ratification of action previously taken. (Mayor)

File 146-91-5, Resolution No. 119-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Homeless Program, to apply for, accept and expend a grant of \$212,034 from Comic Relief for the continuation of services to homeless people for January 1, 1991 through June 30, 1992; providing for ratification of action previously taken. (Mayor)

File 146-91-6, Resolution No. 120-91

Adopted by the following vote:



Monday, February 4, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

[Comprehensive Tobacco Control Plan and Budget]  
Resolution authorizing adoption of the Comprehensive Tobacco Control Plan and Budget. (Mayor)

File 146-91-8, Resolution No. 121-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11. .

[Grant - State Funds]  
Resolution authorizing the Department of Public Health, Promotion and Education, to apply for and accept a second grant of \$1,595,327 from the State Department of Health Services for the Comprehensive Tobacco Control Plan; providing for ratification of action previously taken, and to expend \$1,383,257; companion measure to File 146-91-8. (Department of Public Health)

File 146-91-1, Resolution No. 118-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Grant - Federal Funds]  
Resolution authorizing the Department of Social Services to apply for a grant in the amount of \$701,147 from the Office of Substance Abuse Prevention, Public Health Service, Federal Department of Health and Human Services; providing for ratification of action previously taken. (Department of Social Services)

File 153-91-1, Resolution No. 124-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Monday, February 4, 1991

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;	Eva Lee;	Ace Washington;
Jim Pallizo;	Daniel Piet;	Florence Fang;
Dan Anderson;	William Lee;	Chuck Manhenny;
Storm Jenkins;	Jim Pelazzo;	Al Chang;
Edward Lew;	Sam Yee;	Kent Cady.
Dan Janheri;	May Louie;	

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or by a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolution. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Referred to Committee

[Telephone Services]

Resolution requesting the Chief Administrative Officer of the City and County to examine alternatives for providing long distance telephone services for City offices and agencies. (Supervisor Gonzalez)

File 269-90-1, Resolution No.

At the request of Supervisor Gonzalez, referred to City Services Committee.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)



Monday, February 4, 1991

File 1-91-5, Resolution No. 108-91

(Mayor Art Agnos, January 29 - 31; Willie B. Kennedy, member, Board of Supervisors, February 13 - 18; Richard Guggenhime, member, Recreation and Park Commission, January 24 - 27, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[Child Care Facilities In Lieu Fee]

Resolution extending to May 9, 1991, the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors for an annual adjustment to the in-lieu fee for child-care facilities.

File 115-90-10.1, Resolution No. 111-91

Supervisor Achtenberg presented for immediate adoption.

Adopted.

[Emergency Work]

Resolution declaring emergency pursuant to Charter Section 7.200 concerning broken sewer main under Pierce Street, between Pacific Avenue and Broadway.

File 28-91-1, Resolution No. 109-91

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Larkin Street, between Eddy and Ellis Streets, on Saturday, February 16, 1991, from 5:00 a.m. to 10:00 p.m., for a street fair celebrating the Lunar New Year; providing for insurance and rescinding Resolution No. 65-91.

File 42-91-4.1, Resolution No. 110-91

Supervisor Britt presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Monday, February 4, 1991

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Engine Idling, Privately-owned Motor Coaches]  
Ordinance amending Traffic Code by adding Section 60.5 prohibiting the idling of engines of privately-owned motor coaches while parked or standing. (Supervisors Hsieh and Gonzalez presented.) Referred to Economic and Social Policy Committee with request it be considered at the February 26, 1991 meeting.

File 124-90-5

Referred to Board

[Tobacco Education Campaign]  
Resolution declaring the City and County of San Francisco's support for the Lunar New Year of the Ram Tobacco Education Campaign. (Supervisor Hsieh presented.) Referred to Board February 11, 1991 Immediate Adoption Calendar.

File 4-91-4

Referred to Committee

[Sexual Minority Refuge]  
Resolution declaring San Francisco a City of Refuge for Sexual Minorities. (Supervisors Britt, Migden, Achtenberg presented.) Referred to Economic and Social Policy Committee.

File 43-91-4

[Islais Creek - State Revolving Fund Loan]  
Resolution finding and determining that the Islais Creek transport/storage facilities project will protect and preserve the environment and that the use of loan funds is the most cost-effective method of financing the project; authorizing the Director of Public Works to apply for and enter into loan agreements not to exceed \$93 million. (Supervisor Gonzalez presented on behalf of the Chief Administrative Officer.) Referred to Finance Committee.

File 53-91-1

Requests for Hearings

File 56-91-1, By Supervisor Alioto: To consider amending the Rules of Order to mandate that all legislation be sponsored by a member of the Board of Supervisors (not departments or commissions). Referred to Administration and Oversight Committee.

Monday, February 4, 1991

File 100-91-2, By Supervisor Hallinan: To consider the 1991-92 budget of the Board of Supervisors. Referred to Administration and Oversight Committee.

File 272-91-1, By Supervisor Hsieh: To consider amending Resolution No. 796-90, which endorsed the immediate demolition of the Embarcadero Freeway, by conditioning the Board's endorsement of the immediate demolition of the Embarcadero Freeway upon the Mayor providing written assurance that the City has obtained the funding necessary to replace the Embarcadero Freeway with the proposed subterranean freeway, and requesting the Mayor to provide a written statement of the funding sources that will be used to pay for the demolition and replacement of the Embarcadero Freeway. (Supervisor Hsieh presented.) Referred to Economic and Social Policy Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that letter be sent to the Director of Health concerning the proposed reductions in the Health Department budget relating to Outpatient Clinics at San Francisco General Hospital to request detail on the proposed \$800,000 reduction; such as, how patient over-utilization will be minimized, how productivity will be improved, whether there will be a standard of productivity established for all ambulatory care services, when the proposed Public Health Ambulatory Care Task Force will convene and who will make up the proposed task force.

By Supervisors Alioto, Kennedy, Ward, Gonzalez and Britt, that letter be sent to Director of Health concerning Mr. Kent E. Cady and inquiring into the circumstances for the termination of his employment.

By Supervisor Kennedy, that letter be sent to the Director, San Francisco Housing Authority concerning report that rocks are being pelted onto traffic on Hunters Point Boulevard from the vacant lot on the hill above the boulevard near Earl Street (600 block of Innes Street) and inquiring whether the Housing Authority can secure the property and if persons are caught throwing rocks that they are held liable for damages and in the case of a juvenile, the parents are held liable.

By Supervisor Gonzalez, that letter be sent to the Director of Public Works concerning sewer project at the beach and inquiring whether he is aware that a contractor has allegedly trashed a mile of choice beach area with huge chunks of concrete, asphalt, bricks, "rebar", pipe, wire and asbestos products which has been dumped and bulldozed into the surge and whether anything will be done to clean up the area and to stop illegal dumping at Ocean Beach.

By Supervisor Gonzalez, that letters be sent to Director of Public Works and Director, San Francisco Housing Authority, inquiring why street lighting at 26th and Treat Streets is not maintained, especially in the basketball court, and when these lights will be repaired.

Monday, February 4, 1991

By Supervisor Hsieh, that letter be sent to the California Transportation Commission advising them a hearing has been called to consider amending Resolution 796-90, concerning demolition and replacement of the Embarcadero Freeway, by adding language that the Mayor is to provide written assurance on the funding program that is necessary to remove the freeway and construct a subsurface freeway in the amount of \$135 million.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

John J. Gallagher, Sr. (Supervisor Kennedy)  
Emaline Brock (Supervisor Migden)  
Richard Cohen (Supervisor Achtenberg)  
H. Hortense Gibbs (Supervisor Shelley)

File 2-91-5

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:17 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, February 4, 1991

Approved by the Board of Supervisors on October 21, 1991

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors









1/1/91

2 Vol. 86

No. 6

Monday, February 11, 1991

# Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, February 11, 1991 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Noted absent at first roll call:

Supervisors Alioto, Gonzalez, Maher - 3.

Quorum present.

Supervisor Alioto was noted present at 2:09 p.m.

Supervisor Gonzalez was noted present at 2:09 p.m.

Supervisor Maher was noted present at 2:09 p.m.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]  
Ordinance appropriating \$16,500,000, Sheriff's Department, for various capital improvement projects (Prop A Correctional Facilities Improvement Bond); placing \$5,760,120 on reserve. (Controller)

File 101-90-43, Ordinance No. 41-91

Finally passed.

Monday, February 11, 1991

[Government Funding]

Ordinance appropriating \$52,149, Medical Examiner's Office, for permanent salaries and related mandatory fringe benefits, for the creation of one position - 2456 Assistant Forensic Toxicologist I for fiscal year 1990-91. (Controller)

File 101-90-45, Ordinance No. 50-91

Finally passed.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Medical Examiner/Coroner, reflecting the addition of one new position; companion measure to File 101-90-45. (Civil Service Commission)

File 102-90-8, Ordinance No. 51-91

Finally passed.

[Government Funding]

Ordinance appropriating \$6,976, District Attorney, for services of other departments-Central Shop for fiscal year 1990-91. (Controller)

File 101-90-49, Ordinance No. 53-91

Finally passed.

[Government Funding]

Ordinance appropriating \$778, Medical Examiner, for services of other departments-Central Shop for fiscal year 1990-91. (Controller)

File 101-90-50, Ordinance No. 54-91

Finally passed.

[Government Funding]

Ordinance appropriating \$310, Department of Agriculture, for services of other departments-Central Shop. (Controller)

File 101-90-51, Ordinance No. 55-91

Finally passed.

[Government Funding]

Ordinance appropriating \$130,175, Police Department, for services of other departments-Central Shop for fiscal year 1990-91. (Controller)

Monday, February 11, 1991

File 101-90-52, Ordinance No. 56-91

Finally passed.

[Government Funding]

Ordinance appropriating \$300,572, Department of Public Works, for program project budget (hardship loans and administrative costs). (Controller)

File 101-90-53, Ordinance No. 57-91

Finally passed.

[Parking Garage Lease-Amendment and Sublease]

Ordinance consenting to subleasing of a portion of St. Mary's Square Parking Garage; approving and authorizing execution of Fifth Amendment of St. Mary's Square Parking Garage Lease. (Real Estate Department)

File 47-91-1, Ordinance No. 49-91

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendations of Finance Committee

#### Consideration Continued

[Government Funding]

Ordinance appropriating \$6,374,971, Port Commission, for facilities maintenance project (FEMA/OES Master Project) for fiscal year 1990-91; placing \$6,261,404 on reserve. (Controller)

File 101-90-46, Ordinance No.

Supervisor Hsieh, seconded by Supervisor Gonzalez, moved to continue consideration to February 19, 1991.

Monday, February 11, 1991

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Finally Passed

[Government Funding]

Ordinance appropriating \$28,800, Real Estate, for property acquisition (purchase air rights option over 456 McAllister Street, Society of California Pioneers) for fiscal year 1990-91. (Controller)

File 101-90-48, Ordinance No. 52-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Lease of Real Property]

Ordinance approving a two year lease with Excelsior/Bay Area Parking Corporation for the operation of temporary surface parking lots on seawall lots controlled by the Port Commission. (Port)

File 65-90-13.1, Ordinance No. 48-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

#### NEW BUSINESS

#### Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$476, Recorder's Office, for membership dues; subject of previous budgetary denial. (Controller)

File 101-90-54.1, Ordinance No.

Monday, February 11, 1991

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

(Supervisor Hallinan dissenting in Committee.)

[Government Funding]

Ordinance appropriating \$48,000, Retirement System, for temporary salaries, overtime and related mandatory fringe benefits and rescinding \$18,000 from permanent salaries for fiscal year 1990-91. (Controller)

File 101-90-55, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[1991 Project Lease]

Ordinance approving and authorizing the execution and delivery of a 1991 Project Lease, approving and authorizing the execution and delivery of a reimbursement agreement, approving the issuance of the Redevelopment Agency of the City and County Refunding Lease Revenue Bonds, Series 1991 (George R. Moscone Convention Center); approving the official statement relating thereto; and authorizing and ratifying the execution and delivery of documents reasonably necessary for the issuance, sale and delivery of such bonds, all in connection with the refunding of the Redevelopment Agency of the City and County of San Francisco Lease Revenue Bonds, Series 1979 (George R. Moscone Convention Center). (City Attorney)

File 161-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Consideration Continued

[Disposition and Development Agreement]

Resolution authorizing and approving execution of a Disposition and Development Agreement for Blocks 5731, 5732, 5733, 5733-A (Lot 1) and 5734 (Lot 1) commonly known as the Farmers' Market; and providing that the final Disposition and Development Agreement shall be approved by the Board of Supervisors. (Supervisor Walker)

File 65-90-7, Resolution No.

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Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to February 19, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

[Acquisition of Option for Purchase of Air Rights]  
Resolution authorizing the City and County to acquire an option to purchase certain air rights from the Society of California Pioneers, above their building at 456 McAllister Street, also known as Assessor's Block 766, Lot 4; companion measure to File 101-90-48. (Real Estate Department)

File 96-91-2, Resolution No. 133-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted as Amended

[Grant Application Funds]  
Resolution authorizing the Department of Social Services to apply for a prevention grant from the Stuart Foundation, for HIV family services in the amount of \$55,000. (Department of Social Services)

File 153-91-2, Resolution No. 135-91

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to amend title to read: "Resolution authorizing the Department of Social Services to apply for a prevention grant from the Stuart Foundation, for HIV family services in the amount of \$55,000."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

[Grant - State Funds]  
Resolution authorizing the Department of Social Services to apply



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for participation in a two-year pilot family preservation program of the Office of Child Abuse Prevention, State Department of Social Services, in the amount of \$602,917; providing for ratification of action previously taken. (Department of Social Services)

File 153-91-3, Resolution No. 136-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendations of City Services Committee

Passed for Second Reading

[Moratorium on Pawnshops]

Ordinance amending Police Code, providing a moratorium on the granting of pawnshop permits in the Mission and Ingleside Police Districts. (Supervisors Gonzalez, Hsieh)

File 121-90-8, Ordinance No.

(Adds Section 2825.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

(Supervisor Hsieh dissenting in Committee.)

[Policy Against Electro-Convulsive Therapy]

Resolution establishing the policy of the Board of Supervisors that it is opposed to the use of, or financing of electro-convulsive therapy; urging the State Legislature to strengthen informed consent laws; urging the State Director of Mental Health to adopt regulations regarding ECT treatment. (Supervisor Alioto)

File 30-90-14.1, Resolution No. 129-91

Appointment of President Pro Tempore

At the request of President Ward, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

Supervisor Hsieh, seconded by Supervisor Maher, moved to refer subject matter to the Health Commission.

Monday, February 11, 1991

Motion to refer subject matter to the Health Commission refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Maher, Ward - 4.

Noes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Migden, Shelley - 7.

The roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 7.

Noes: Supervisors Britt, Hsieh, Maher, Ward - 4.

The President reassumed the Chair.

[Permit Appeal]

Motion approving decision of Director of Public Works to issue a permit to occupy a portion of the sidewalk area at 1491 McAllister Street, on Scott Street, for one warped driveway and two planter boxes. (City Services Committee)

File 24-90-8

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

From the Department of Public Works

Adopted

[New Condominium Subdivision]

Motion approving final map of 1340 Clay Street, being a resubdivision of Lot 3 in Assessor's Block 215; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-3

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[New Condominium Subdivision]

Motion approving final map of L.C. Court, An Airspace Subdivision,

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being a resubdivision of Lot 24 in Assessor's Block 3580, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-4

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Condominium Project]

Motion approving final map of 3874 18th Street, also known as Building No. 1, a condominium project, being a resubdivision of Lot 137 in Assessor's Block 3580; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-5

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Condominium Project]

Motion approving final map of 283 Dorland Street, a condominium project, being a resubdivision of Lot 140 in Assessor's Block 3580, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-6

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

#### COMMITTEE REPORTS

##### Recommendations of City Services Committee

Adopted as Amended

[Mt. Zion Community Crisis Clinic]

Resolution urging the Mayor to urge the Health Commission to request adequate funds to maintain operations at the Mount Zion Crisis Clinic through the end of the current fiscal year, to seek financial assistance from Mount Zion Crisis Clinic, Mt. Zion Health Systems, Inc., and the University of California at San Francisco, and to enter into discussions with Mount Zion Crisis Clinic, Mt. Zion

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Health Systems, Inc., affected community providers, and the University of California at San Francisco that would result in a written report to the Board of Supervisors by April 1, 1991, that would address particular issues related to the provision of mental health services in the City of San Francisco, including funding options for the clinic beyond fiscal year 1991-92. (Supervisors Alioto, Hsieh, Migden, Achtenberg)

File 88-91-1, Resolution No. 128-91

Supervisor Alioto presented as recommendation of City Services Committee.

Supervisor Alioto, seconded by Supervisor Hsieh, moved to amend page one, lines 16 through 23 by deleting the entire "whereas" clause.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Gonzalez - 1.

Supervisor Hsieh, seconded by Supervisor Achtenberg, moved to amend the title, page one, line four and page two, line eight, after "year" by inserting "to seek financial assistance from Mount Zion Crisis Clinic, Mt. Zion Health Systems, Inc., and the University of California at San Francisco,".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Supervisor Hsieh, seconded by Supervisor Alioto, moved to further amend page one, line 14 by replacing "Hospital" with "Health Systems, Inc.".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

The roll was taken on the pending resolution and it was adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

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[Artists-Writers Peace Vigil]

Resolution urging the Mayor to urge the Recreation and Park Commission to issue a permit for an Artists-Writers Peace Vigil in the northwest grassy square of United Nations Plaza for a period of three weeks between the hours of 6:00 a.m. and 10:00 p.m. each day, which permit would allow a symbolic structure at the permit site during the entire three week period and would require the sponsors to clean the site daily during the period of the permit and after the expiration of the vigil. (Supervisor Hallinan)

File 193-91-1, Resolution No.

Supervisor Alioto presented as a recommendation of Committee.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to amend title, line seven, and text, line 29, after the word "period" by inserting "and would require the sponsors to clean the site daily during the period of the permit and after the expiration of the vigil".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Resolution adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Storm Jenkins;  
Lois Robertson;  
Ace Washington.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or by a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolution. Eight votes (or a unanimous vote if only six or seven members are present) is required.

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Adopted as Amended

[Tobacco Education Campaign]

Resolution declaring the City and County's support for the Lunar New Year of the Ram Tobacco Education Campaign. (Supervisor Hsieh)

File 4-91-4, Resolution No. 132-91

Supervisor Hsieh, seconded by Supervisor Kennedy, moved to amend page one, line 16, by replacing "30%" with "23.8%" and by inserting "male" after "general".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-6, Resolution No. 114-91

(Sonia Bolanos, member, Redevelopment Agency, February 4 - 8; Keith Eickman, Vice President, Recreation and Park Commission, March 21 - 27; Thomas J. Elzey, General Manager, Public Utilities Commission, February 4 - 7 and 20 - 22; Doug Engmann, member, City Planning Commission, February 4 - 6; Bonnie Gibson, member, Retirement Board, January 21 - 27; Michael Huerta, Executive Director, Port, February 6 - 13; Haig Mardikian, member, Redevelopment Agency, February 15 - 25; Chris Mouroufas, member, Film and Video Arts Commission, February 12 - 22; Harry Parker,

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III, Director, Fine Arts Museums, February 16 - 24; Arlo Smith, District Attorney, February 20 - 22; L.A. Turpen, Director of Airports, April 10 - 21, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[Black History Week]

Resolution urging the Social Services Commission and Department to permit noontime classes to be held by the 1440 Harrison African American Focus Group during Black History Month.

File 107-91-1, Resolution No. 115-91

Supervisor Hallinan presented for immediate adoption.

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Recreation and Parks Department to apply for a grant in an amount of \$250,000 from the Urban Parks and Recreation Recovery Act for renovation of the Potrero Hill Recreation Center.

File 150-91-1.1, Resolution No. 113-91

Supervisor Shelley presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

#### Request Granted

Supervisor Kennedy, joined by Supervisor Ward, and seconded by Supervisor Hallinan, moved that letter be sent to the Mayor indicating the Board of Supervisors' support for declaring February as Black History Month.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.



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Absent: Supervisors Britt, Maher - 2.

Clerk directed to comply.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]

Ordinance appropriating \$3,000,000, Port Commission, for judgment and claims. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 101-90-63

[Service Station Conversions]

Ordinance amending City Planning Code by adding Section 228 relating to converting property containing a gasoline service station to other uses and amending Public Works Code by deleting Article 15.1 relating to service station conversions. (Supervisor Hallinan presented.) Referred to Economic and Social Policy Committee.

File 115-91-4

[Critical Incident Response Team]

Resolution declaring the need for a Critical Incident Response Team that would work to assist victims of violence and their families and work to prevent incidents of violence and death among the city's youth; and urging the Mayor to urge the Health Commission and the Social Services Commission to submit supplemental appropriations to provide funding for such a Critical Incident Response Team. (Supervisors Kennedy and Ward presented.) Referred to Economic and Social Policy Committee.

File 100-90-15

Requests for Hearings

File 30-91-2, By Supervisor Gonzalez: To consider adoption of a city-wide agenda on the well-being of seniors for the 1990's. Referred to City Services Committee.

File 57-91-1, By Supervisors Achtenberg and Maher: To consider whether the City and County should institute a comprehensive recycling program, including mandatory recycling for City and County government agencies as well as the purchase of recycled products. Referred to City Services Committee.



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File 127-91-2, By Supervisor Gonzalez: To consider present efforts by the Controller and Tax Collector's offices to maximize revenue collections and to identify potential revenues that can be collected from potential taxpayers and actual scofflaws in regards to business registration, payroll and gross receipts tax payments. Referred to Finance Committee.

File 210-91-1, By Supervisor Hallinan: To consider Retirement Board's implementation of the MacBride Principles. Referred to Economic and Social Policy Committee.

File 270-91-1, By Supervisor Gonzalez: To consider the seismic safety of the City Hall building and Department of Public Works' potential plans to repair and restore the building to its previous safety condition and beauty. Referred to City Services Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Ward, Gonzalez and Hsieh, that letter be sent to the Health Commission urging the Commission convene a panel of experts and investigate the effects of electro-convulsive therapy.

By Supervisor Gonzalez, that letter be sent to the Chief of Police concerning alleged illegal activity by youths drinking alcohol at the Monroe School yard during the evening hours and requesting investigation and report.

By Supervisor Hsieh, that letter of inquiry be sent to the Director of Public Works to determine the status of efforts to review and revise the procedures for issuing flower stand permits and when the Board of Supervisors can expect to receive a draft proposal.

By Supervisor Hsieh, that letter be sent to General Manager, Recreation and Park Department, to inquire why teachers from the Sharon Arts Studio are being reassigned to other program areas and whether all funds that the Board of Supervisors allocated for the Sharon Arts Studio for the 1990-91 fiscal year are being spent for that program.

By Supervisor Kennedy, that letter of inquiry be sent to Executive Director, Parking and Traffic Department, to determine whether additional enforcement patrols can be implemented in the Residential Permit Parking Area D to help alleviate the parking situation, especially Lyell Street and its surrounding area.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Frank Stanich (Supervisor Hallinan)

Monday, February 11, 1991

File 2-91-6

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:21 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, February 11, 1991

Approved by the Board of Supervisors on October 28, 1991

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors













19/91

2 Vol. 86

No. 7

Tuesday, February 19, 1991

# Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Tuesday, February 19, 1991 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Noted absent at first roll call:

Supervisor Gonzalez - 1.

Quorum present.

Supervisor Gonzalez was noted present at 2:16 p.m.

CONSENT CALENDAR

Recommendations of Finance Committee

Adopted

[Lease of Real Property]

Resolution authorizing a new lease of real property at 1528 Fillmore Street for the Library for the Blind. (Real Estate Department)

File 64-91-1, Resolution No. 152-91

Adopted.

[Lease of Real Property]

Resolution authorizing a new lease of real property at 1101 Capp Street for the Police Department for office space for the Administrative and Mission offices of the Senior Escort Program. (Real Estate Department)

Tuesday, February 19, 1991

File 64-91-2, Resolution No. 127-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services to accept and expend a grant up to the amount of \$6,721,444 from the State of California, Department of Alcohol and Drug Programs to reduce client waiting periods for substance abuse treatment services. (Mayor)

File 146-91-7, Resolution No. 134-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend an augmentation allocation of \$54,987 from the California Department of Health Services to augment the AIDS Pilot Care Project component of the Master Grant Agreement for 1990-91 for the residents of San Francisco. (Mayor)

File 146-91-11, Resolution No. 167-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Emergency Medical Services (EMS) Agency, to apply for a grant of \$15,000 from the State Emergency Medical Services (EMS) Authority for funds to support the Pediatric Care Coalition in the development of paramedic training standards for pediatric prehospital care. (Mayor)

File 146-91-16, Resolution No. 170-91

Adopted.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Emergency Medical Services (EMS) Agency, to apply for a grant of \$10,000 from the Fujisawa Pharmaceutical Company for funds to conduct a trial study to determine the efficacy of the drug adenosine in converting supraventricular tachycardia in patients in the prehospital setting. (Mayor)

File 146-91-17, Resolution No. 171-91

Adopted.

Tuesday, February 19, 1991

Recommendation of City Services Committee

Finally Passed

[Moratorium on Pawnshops]

Ordinance amending Police Code, providing a moratorium on the granting of pawnshop permits in the Mission and Ingleside Police Districts. (Supervisors Gonzalez, Hsieh)

File 121-90-8, Ordinance No. 66-91

(Adds Section 2825.)

Finally passed.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Ronald S. Malson against the City and County by payment of \$7,000. (City Attorney)

File 45-90-64, Ordinance No.

(S.F. Superior Court No. 853-162.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of the City and County v. John J. Rosewick, et al., for \$442,100 and to take fee title of the property at the time of payment. (City Attorney)

File 46-90-22, Ordinance No.

(S.F. Superior Court No. 915-865.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of matter of John Runfola (Complaint Not Yet Filed) against the City and County by payment of \$15,000. (City Attorney)

File 45-91-1, Ordinance No.

Passed for second reading.

Tuesday, February 19, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Benjamin Mizryukhin and Olga Fine against the City and County by payment of \$15,000. (City Attorney)

File 45-91-2, Ordinance No.

(Superior Court No. 899-866.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Godofredo Najarro against the City and County by payment of \$27,500. (City Attorney)

File 45-91-3, Ordinance No.

(Superior Court No. 898-184.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Kenneth Robinson against the City and County by payment of \$17,500. (City Attorney)

File 45-91-4, Ordinance No.

(Superior Court No. 912-402.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Gladys Howard against the City and County by payment of \$80,000. (City Attorney)

File 45-91-5, Ordinance No.

(United States District Court No. C87-5877.)

Passed for second reading.

Adopted

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Esther Hagopian in the sum of \$8,000. (City Attorney)

File 48-90-27, Resolution No. 150-91

Adopted.

Tuesday, February 19, 1991

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Ana Post in the sum of \$8,750. (City Attorney)

File 48-90-28, Resolution No. 151-91

Adopted.

[State Disability Insurance]

Resolution authorizing enrollment of Classification 0819 Management Information Specialist in the State Disability Insurance Program. (Employee Relations Division)

File 89-90-16, Resolution No. 155-91

Adopted.

Recommendations of Economic and Social Policy Committee

Adopted

[Taxi Zones]

Resolution rescinding location of taxicab stands on various streets.

File 15-91-1, Resolution No. 142-91

(Taxi Zones - Rescind

Taraval Street, north side, from 4 to 27 feet east of 19th Avenue (23-foot zone).

506 Broadway, north side, from 25 to 46 feet west of Kearny Street (21-foot zone).

Adopted.

[Stop Intersections]

Resolution designating and rescinding certain intersections as "Stop" intersections.

File 18-91-1, Resolution No. 143-91

(Stop Signs - Establish

Pioche Street and Oxford Street, northeast and southwest corners, stopping Pioche Street traffic.

17th Avenue and Wawona Street, all corners, stopping 17th Avenue and Wawona Street traffic (makes this an all-way STOP).

Jack London Place (Center Place) and Taber Place, southeast and northwest corners, stopping Jack London Place (Center Place) traffic.

Tuesday, February 19, 1991

Folsom Street and Spear Street, southwest corner, stopping Folsom Street traffic (makes this an all-way STOP).

Stop Sign - Rescind

Winston Drive and Lake Merced Boulevard, northeast corner, stopping westbound Winston Drive right turns.)

Adopted.

[Parking Regulations]

Resolution enacting parking regulations, various streets.

File 19-91-1, Resolution No. 144-91

(90-Degree Angle Parking - Establish

Mint Street, west side, from Jessie Street north to end.

DeHaro Street, west side, between 17th Street and Mariposa Street.

Motorcycle Parking Stalls - Establish

Phelan Avenue, east side, from the north intersection with Cloud Hall Circle to 28 feet south (8 motorcycles spaces at 3.5 feet each)

Adopted.

[Traffic Regulations]

Resolution enacting traffic regulation, Commercial Street.  
(Department of Parking and Traffic)

File 20-91-2, Resolution No. 145-91

(Street Closed To Vehicular Traffic 11 A.M. to 2 P.M.,  
Weekdays - Establish

Commercial Street, between Montgomery and Leidesdorff Streets.)

Adopted.

[Traffic Regulations]

Resolution enacting traffic regulations, various streets.

File 20-91-3, Resolution No. 146-91

(Tow - Away, No Parking Any Time - Establish

Moulton Street, south side, from 136 to 300 feet west of Webster Street (164-foot zone).

No Left Turn - Establish

California Street, eastbound at Sabin Place.



Tuesday, February 19, 1991

Sabin Place, southbound at California Street.

Yield Sign - Establish

Winston Drive and Lake Merced Boulevard, northeast corner, for westbound Winston Drive right turns.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Consideration Continued

[Government Funding]

Ordinance appropriating \$6,374,971, Port Commission, for facilities maintenance project (FEMA/OES Master Project) for fiscal year 1990-91; placing \$6,261,404 on reserve. (Controller)

File 101-90-46, Ordinance No.

Supervisor Hsieh moved to amend to include language that the Board of Supervisors shall review the expenditures.

Motion lost for want of a second.

Supervisor Hsieh, seconded by Supervisor Gonzalez, moved to continue consideration to February 25, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Noes: Supervisor Achtenberg - 1.

Finally Passed

[Government Funding]

Ordinance appropriating \$476, Recorder's Office, for membership dues; subject of previous budgetary denial. (Controller)

File 101-90-54.1, Ordinance No. 64-91

Tuesday, February 19, 1991

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

(Supervisor Hallinan dissenting in Committee.)

[Government Funding]

Ordinance appropriating \$48,000, Retirement System, for temporary salaries, overtime and related mandatory fringe benefits and rescinding \$18,000 from permanent salaries for fiscal year 1990-91. (Controller)

File 101-90-55, Ordinance No. 65-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[1991 Project Lease]

Ordinance approving and authorizing the execution and delivery of a 1991 Project Lease, approving and authorizing the execution and delivery of a reimbursement agreement, approving the issuance of the Redevelopment Agency of the City and County Refunding Lease Revenue Bonds, Series 1991 (George R. Moscone Convention Center); approving the official statement relating thereto; and authorizing and ratifying the execution and delivery of documents reasonably necessary for the issuance, sale and delivery of such bonds, all in connection with the refunding of the Redevelopment Agency of the City and County of San Francisco Lease Revenue Bonds, Series 1979 (George R. Moscone Convention Center). (City Attorney)

File 161-91-1, Ordinance No. 58-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

[Disposition and Development Agreement]

Resolution authorizing and approving execution of a Disposition and Development Agreement for Blocks 5731, 5732, 5733, 5733-A (Lot 1) and 5734 (Lot 1) commonly known as the Farmers' Market; and providing that the final Disposition and Development Agreement shall be approved by the Board of Supervisors. (Supervisor Walker)

File 65-90-7, Resolution No. 153-91

Adopted by the following vote:

Tuesday, February 19, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisor Maher - 1.

Absent: Supervisor Britt - 1.

Request Granted

Supervisor Kennedy requested that City Attorney be requested to review tax increment bond program procedures to determine whether it can be amended so the Board can allocate the funds.

No objection and request granted.

From Select Committee on Mission Bay Development  
Without Recommendation

Consideration Continued

(Supervisor Hsieh dissenting in Committee.)

[Planning Code Text Amendment]

Ordinance amending Planning Code, to establish Mission Bay Districts and provide for permitted uses, zoning control tables, density, height district measurements and exceptions, building form articulation provisions, setbacks and projections, rooftop features, awnings and marquees, lot coverage and building separations, parking and freight loading/service vehicle provisions, sign provisions, relationship to transportation management, resident training and placement, childcare, office space limitation, historic preservation provisions, rules for nonconforming uses and noncomplying structures, rules for conditional, temporary and accessory uses, and provisions for compliance, permit approval and enforcement among other provisions. (Department of City Planning)

File 255-90-4, Ordinance No.

(Amends Sections 102, 201 and 202 to refer to new Article 9 and Adds Article 9.)

(Subject legislation was referred to City Planning Commission for advice and comment to be provided to the Board by February 15, 1991.)

(A court reporter was present and a copy of the transcript is on file in the office of the Clerk of the Board of Supervisors.)

Supervisor Gonzalez, seconded by Supervisor Maher, moved to continue consideration to February 25, 1991.

Motion to continue adopted by the following vote:

Tuesday, February 19, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

(Supervisor Hsieh dissenting in Committee.)

[Reclassification of Property - Use Districts]

Ordinance amending Planning Code by amending Zoning Map for certain properties in Mission Bay Area generally bounded by Third Street, Berry Street and Fourth Street, China Basin Channel, China Basin, Mariposa, Pennsylvania, Seventh and Townsend Streets, all of Assessor's Blocks 3795-3798, 3804-3806, 3809, 3810, 3813, 3819, 3822, 3832, 3835, 3837-3841, 3849-3853, 3880, 3892, 3942, and 3944 and portions of Assessor's Blocks 3940, 3941, 3943, 3948 and 9900; and to reclassify these properties from C-M to MB-0 and from M-2 and P to MB-R-1, MB-R-2, MB-R-3, MB-0, MB-CI, MB-CF, MB-NC-S, MB-NC-2 and MB-NC-3, MB-H, M-1, and MB-OS Use Districts. (Department of City Planning)

File 255-90-5, Ordinance No.

(Subject legislation was referred to City Planning Commission for advice and comment to be provided to the Board by February 15, 1991.)

Supervisor Gonzalez, seconded by Supervisor Maher, moved to continue consideration to February 25, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

(Supervisor Hsieh dissenting in Committee.)

[Reclassification of Property - Height Districts]

Ordinance amending City Planning Code by amending Zoning Map for certain properties in Mission Bay Area generally bounded by Third, Berry, and Fourth Streets, the China Basin Channel, China Basin Street, Mariposa, Pennsylvania, Seventh and Townsend Streets, all of Assessor's Blocks 3795-3798, 3804-3806, 3809, 3810, 3813, 3819, 3822, 3832, 3835, 3837-3841, 3849-3853, 3880, 3892, 3942, and 3944 and portions of Assessor's Blocks 3940, 3941, 3943, 3948 and 9900; and to reclassify these properties from 40-X, 50-X, 80-B, 105-F, 130-B, and 200-E Height and Bulk Districts to OS, 45, 55, 70, 85, 95 and 110 Height Districts. (Department of City Planning)

File 255-90-6, Ordinance No.

(Subject legislation was referred to City Planning Commission for advice and comment to be provided to the Board by February 15, 1991.)

Tuesday, February 19, 1991

Supervisor Gonzalez, seconded by Supervisor Maher, moved to continue consideration to February 25, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Passed for Second Reading as Amended

(Supervisor Hsieh dissenting in Committee.)

[Mission Bay Development Agreement]

Ordinance adopting and approving Development Agreement, as amended on February 19, 1991 by and between San Francisco and Catellus Development Corporation, and authorizing Mayor to execute Development Agreement on behalf of San Francisco. (Department of City Planning)

File 255-90-3, Ordinance No.

(Subject legislation was referred to City Planning Commission for advice and comment to be provided to the Board by February 15, 1991.)

Supervisor Gonzalez, seconded by Supervisor Maher, moved to amend Development Agreement pursuant to proposed amendments recommended by City Planning Commission Resolution No. 13017 and amend to delete Section 14.8(d) in its entirety.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved technical amendments to Attachment 1 to Exhibit A-1 and Attachments 1, 2 and 3 (dated 2/19/91) to Exhibit A-1.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hallinan - 1.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to amend the ordinance as follows: amend title, page one, line two, after "agreement" by inserting ", as amended on February 19, 1991,"; amend page one, line 23, after "agreement," by inserting "as amended

Tuesday, February 19, 1991

on February 19, 1991,"; amend page two, line two, after "ordinance" by inserting "and authorizes the Clerk of the Board to attest to the Mayor's signature".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Migden - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 10.

Noes: Supervisor Hsieh - 1.

Tabled

[Development Agreement Procedure]  
Ordinance amending Administrative Code, clarifying the notice provisions and conforming to the Mission Bay Development Agreement. (Supervisor Hongisto)

File 97-90-63, Ordinance No.

(Amends Sections 56.8, 56.14, 56.15, 56.16 and 56.17.)

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

Passed for Second Reading as Amended

[Development Agreement Procedure]  
Ordinance amending Administrative Code, clarifying the notice provisions, ((and)) conforming to the Mission Bay Development Agreement, and permitting the Board to review a decision to issue a certificate of compliance. (Supervisor Hongisto)

File 97-90-64, Ordinance No.

(Amends Sections 56.8, 56.14, 56.15, 56.16 and 56.17.)

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to amend title, line five, after "agreement" by inserting "and permitting the Board to review a decision to issue a certificate of compliance".



Tuesday, February 19, 1991

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

#### NEW BUSINESS

#### Recommendations of Finance Committee

#### Passed for Second Reading

##### [Government Funding]

Ordinance appropriating \$50,322, Municipal Court, for permanent salaries and retirement allowance and rescinding \$50,322 from permanent salaries and a salary adjustment for twenty judges and three traffic referees, all related to Municipal Court for fiscal year 1990-91; effective January 1, 1991. (Controller)

File 101-90-42, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hallinan - 1.

##### [Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Municipal Court, to provide a salary increase for judges and traffic referees; effective January 1, 1991; companion measure to File 101-90-42. (Civil Service Commission)

File 102-90-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

##### [Government Funding]

Ordinance appropriating \$31,500, Health Service System, for other contractual services; providing for ratification of action previously taken. (Controller)

Tuesday, February 19, 1991

File 101-90-56, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Music Festival Lease]

Ordinance approving lease for establishing and operating two annual music festivals at Camp Mather, located at Tuolumne County, California. (Recreation and Park Department)

File 62-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Revolving Fund]

Ordinance amending Administrative Code, to increase the cash revolving fund for the Adult Probation Department from \$200 to \$1,000. (Adult Probation Department)

File 97-91-6, Ordinance No.

(Amends Section 10.168.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

[Employee Replacement]

Resolution approving immediate filling of vacated position of Classification 0390 - Chief of Police, Police Department, retroactive to November 28, 1990. (Controller)

File 31-91-1, Resolution No. 147-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Acceptance of Gift]

Resolution accepting a cash gift in the amount of \$307,753.70, from the estate of Anna A. Seebe to Laguna Honda Hospital for patient activities not presently funded by the City and County. (Department of Public Health)



Tuesday, February 19, 1991

File 38-91-1, Resolution No. 149-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Monthly Contribution - Health Service System]

Resolution establishing the contribution to be made to the Health Service System by City and County, Unified School District and Community College District for fiscal year 1991-92. (Health Service System)

File 78-91-1, Resolution No. 154-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Homeless Programs, retroactively to apply as sub-grantee, in collaboration with the San Francisco Community Clinic Consortium as prime grantee, for a grant of up to \$750,000 from the Federal Public Health Services for primary health services and substance abuse services to homeless persons, and adding a provision for existing matching funds up to \$375,000, for the period of May 1, 1991, through April 30, 1992. (Department of Public Health)

File 146-91-9, Resolution No. 165-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Family Health Bureau, to accept and expend a grant of \$214,284 from the State Department of Health Services, Maternal Child Health Branch, for services to improve Black infant health for the period of January 1, 1991 through June 30, 1993; placing \$114,000 on reserve. (Mayor)

File 146-91-10, Resolution No. 166-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Tuesday, February 19, 1991

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to accept and expend a subvention/continuation grant up to the amount of \$3,339,619 from the State of California, Department of Alcohol and Drug Programs to reduce client waiting lists for substance abuse treatment services. (Mayor)

File 146-91-12, Resolution No. 138-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Gonzalez - 2.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Family Health Bureau, to apply for a grant of \$199,757 from the State Office of Family Planning for family planning information and education to youth in San Francisco; providing for ratification of action previously taken. (Mayor).

File 146-91-13, Resolution No. 168-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Emergency Medical Services (EMS) Agency, to apply for a grant of \$60,000 from the State Emergency Medical Services (EMS) Authority to provide funds to augment the existing EMS Quality Assurance Program; providing for ratification of action previously taken. (Mayor)

File 146-91-15, Resolution No. 169-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[State Agreement]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to enter into an agreement retroactively in the amount of \$44,235 with the State of California, Department of

Tuesday, February 19, 1991

Rehabilitation for the provision of vocational rehabilitation services to recovering alcoholics for the term July 1, 1990 through June 30, 1991 and authorizing and directing the President of the Board to sign and certify said agreement. (Department of Public Health)

File 172-91-1, Resolution No. 173-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Trial Court Funding]

Resolution electing to become subject to the provisions of the State Trial Court Funding Program for the period of July 1, 1991 through June 30, 1992. (Supervisor Gonzalez)

File 187-91-1, Resolution No. 137-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Unlitigated Claims Under \$5,000]

Ordinance repealing Section 2 of Ordinance No. 66-90, removing the Sunset Clause of the authority provided by Section 10.21 of the Administrative Code for the City Attorney or a staff member designated by the City Attorney to settle unlitigated claims of under \$5,000 without the approval of the head of the department or the board or commission in charge of the department. (City Attorney)

File 97-90-1.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Tuesday, February 19, 1991

[Settlement of Litigation]

Ordinance amending Administrative Code, by authorizing the City Attorney or a staff member designated by the City Attorney to settle litigation by payment not exceeding \$5,000 without the approval of the Chief Administrative Officer or the board or commission in charge of the department, but with the approval of the head of the department which has jurisdiction over the matter, and requiring the City Attorney to submit monthly reports to the Board of Supervisors listing litigation settled for an amount not in excess of \$5,000. (City Attorney)

File 97-91-4, Ordinance No.

(Amends Section 10.22-2.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Dolores Huerta v. City and County. (City Attorney)

File 45-91-6, Ordinance No.

(U.S. District Court Case No. C89-3390 JPV.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[Appointment]

Resolution appointing Supervisor Carole Migden as an alternate member to the General Assembly, Association of Bay Area Governments, for two-year term ending June 1, 1992. (Administration and Oversight Committee)

File 92-88-14, Resolution No. 156-91

(Supervisor Carole Migden, vice Richard Hongisto, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Tuesday, February 19, 1991

[Appointment]

Resolution appointing member to the Ballot Simplification Committee, for the three-year term ending November 30, 1993. (Administration and Oversight Committee)

File 92-90-34.2, Resolution No. 157-91

(Kay Blalock, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Appointments]

Resolution appointing members to the Mental Health Advisory Board, for three-year terms ending January 31, 1994. (Administration and Oversight Committee)

File 92-90-44, Resolution No. 158-91

(John O'Brien, consumer, vice Richard Samples, term expired; M. Carmen Gonzalez, public interest, vice Donna Rowles, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

(Supervisor Maher Excused from voting in Committee.)

[Appointment]

Resolution appointing member to the Bay Conservation and Development Commission, for an indefinite term. (Administration and Oversight Committee)

File 92-90-49, Resolution No. 159-91

(Supervisor Bill Maher, vice Richard Hongisto, supervisorial term expired.)

Supervisor Maher Excused From Voting

Supervisor Kennedy, seconded by Supervisor Gonzalez, moved to excuse Supervisor Maher from voting.

Motion to excuse Supervisor Maher adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Tuesday, February 19, 1991

Absent: Supervisor Britt - 1.

The roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Excused: Supervisor Maher - 1.

Absent: Supervisor Britt - 1.

[Appointment]

Resolution appointing member to the Hazardous Materials Advisory Committee, for unexpired portion of four-year term ending July 1, 1991. (Administration and Oversight Committee)

File 92-90-52, Resolution No. 160-91

(William Harris, Jr. (Public) vice Diane Bush, resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Appointment]

Resolution appointing member to the City-Wide Alcoholism Advisory Board, for unexpired portion of the three-year term ending July 1, 1991. (Administration and Oversight Committee)

File 92-90-53, Resolution No. 161-91

(Georgia Bates Creel, vice Nicholas Caputi, M.D., resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Appointment]

Resolution appointing member to the City-wide Alcoholism Advisory Board, for unexpired portion of the three-year term ending July 1, 1992. (Administration and Oversight Committee)

File 92-90-54, Resolution No. 162-91

Tuesday, February 19, 1991

(Mary Jane D'Orazi, vice Mark Young, resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Appointment]

Resolution appointing member to the Drug Abuse Advisory Board, for unexpired portion of the three-year term ending October 1, 1992. (Administration and Oversight Committee)

File 92-90-55, Resolution No. 163-91

(Jacquie H. Hausen (Public) vice Elizabeth Tarango, resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Appointments]

Resolution appointing members to the Telecommunications Policy Committee, for two-year terms ending February 1, 1993. (Administration and Oversight Committee)

File 92-90-61, Resolution No. 164-91

(Dr. Harold Layer, Education, vice himself, term expired; Steven Werth, Public Interest, vice Emily Pike, term expired; Ron Wong, Public Interest, vice Yulanda Williams, term expired; Sue Levitin, Viacom, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Appointment]

Resolution confirming Mayor's appointment to the Parking and Traffic Commission, for four-year term ending December 5, 1994. (Administration and Oversight Committee)

File 33-91-2, Resolution No. 148-91

(Arnold Chin, vice himself, term expired.)



Tuesday, February 19, 1991

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Question Divided; Adopted as Amended

[Budget]

Motion authorizing and directing the Clerk of the Board to file with the Controller the budget estimates for fiscal year 1991-1992 for the Department of the Board of Supervisors.

File 100-91-2

Appointment of President Pro Tempore

At the request of President Ward, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

At the request of Supervisor Ward, the question was divided with respect to the special fund for cable TV access and development, so the matter could be considered separately.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend the budget to reflect an increase of \$5,000 to the legislative account of the Board of Supervisors to allow members of the Board of Supervisors to lobby against funding cuts and other matters affecting the City and County of San Francisco; thereby amending the main motion on line 11, after "1991" by inserting ", and as amended in Board February 19, 1991".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

The roll was then called on the main motion, as divided and amended, and it was adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Britt - 1.

Consideration Continued



Tuesday, February 19, 1991

Motion authorizing and directing the Clerk of the Board to file with the Controller the budget estimates for fiscal year 1991-1992 for the Special Fund for Cable TV Access and Development. (Board of Supervisors)

File 100-91-2.1

Supervisor Ward, seconded by Supervisor Alioto, moved to continue consideration to February 25, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

The President reassumed the Chair.

Recommendations of Economic and Social Policy Committee

Rereferred to Committee

(Supervisor Migden dissenting in Committee.)

[Rent Ordinance]

Ordinance amending Administrative Code, to permit landlords to pass through to tenants fifty percent of penalties for exceeding water allotment, provided the Water Department has inspected the tenant's building. (Supervisor Kennedy)

File 109-88-3, Ordinance No.

(Amends Sections 37.3 and 37.8.)

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Passed for Second Reading

[Parking of Contractor's Vehicles]

Ordinance amending Traffic Code, to authorize issuance of additional contractor's permits to licensed contractors ineligible for exclusive temporary use of parking meter zones under Section 202.E and to transfer from the Tax Collector to the Director of Parking and Traffic the authority to issue permits to use parking meter zones for construction vehicles. (Supervisor Maher)

Tuesday, February 19, 1991

File 124-91-1, Ordinance No.

(Amends Section 202.C.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[Bernal Heights Survey Area]

Resolution adopting the Bernal Heights East and South Slope Revitalization Feasibility Report, subject to certain conditions, and requesting that the City Planning Commission select a project area and formulate a preliminary plan for the Bernal Heights East and South Slope Survey Area. (Supervisor Walker)

File 161-90-3, Resolution No. 172-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Large Scale Drug Stores]

Resolution establishing a task force to study and to advise the Board of Supervisors on the effect of large retail stores which sell pharmaceutical drugs and personal toiletries ("large-scale drug stores") on neighborhood commercial shopping districts. (Supervisors Alioto and Ward)

File 174-90-7, Resolution No. 174-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Red Light Fine Increase]

Resolution urging the Judges of the Municipal Court to increase the amount of bail set for violation of Section 21453(a) of the California Vehicle Code, not stopping at a red light. (Supervisor Kennedy)

Tuesday, February 19, 1991

File 196-90-8, Resolution No. 176-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Noes: Supervisors Achtenberg, Hallinan - 2.

Absent: Supervisor Britt - 1.

Adopted as Amended

[Festival 2000]

Resolution urging the Mayor, the Chief Administrative Officer, and the City Attorney to offer assistance to artists, art organizations, technicians, and staff who have sustained financial harm as a result of their participation in Festival 2000. (Supervisors Hallinan, Gonzalez, Migden)

File 197-90-2, Resolution No. 177-91

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend page one, line 13, after "moral" by deleting the phrase, ", if not legal,".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to further amend by amending page two, line 10, after "purposes" by inserting "and to report back to the Board of Supervisors by April 1, 1991".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Tabled

Tuesday, February 19, 1991

[Festival 2000]

Resolution urging the Mayor and the Chief Administrative Officer to offer all possible assistance to Hotel Tax Funds arts recipients and San Francisco artists who have sustained financial harm as a result of their participation in Festival 2000. (Supervisor Migden)

File 197-90-2.2, Resolution No.

Supervisor Migden, seconded by Supervisor Kennedy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[Pedestrian Mall]

Resolution declaring intention to order the establishment of a pedestrian mall on Anthony Street north of Jessie Street; and setting date of June 17, 1991 at 3:00 p.m. for public hearing for all persons interested in or objecting to the proposed establishment of said pedestrian mall. (Department of Public Works)

File 181-91-1, Resolution No. 175-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to disapproval of partial abandonment of service on Municipal Railway Line 42-Downtown.

File 7-91-1

(Filed January 30, 1991.)

(Line 42-Downtown Loop service at all times on Second Street between Howard and Brannan Streets, on Howard between First and Second Streets and on Folsom between Fremont and Second Streets.)

Tuesday, February 19, 1991

The privilege of the floor was granted to the following persons:

Joe Rubin;  
Tom Foray;  
Vicky Skinner;  
Norman Rolf;  
Denise Smith.

From Public Utilities Commission

Adopted

(Only one of the following two resolutions should be adopted.)

[Abandonment of Service]

Resolution approving partial abandonment of service on Municipal Railway Line 42-Downtown Loop along Second Street between Howard and Brannan Streets, on Howard Street between First and Second Streets and on Folsom Street between Fremont and Second Streets. (Public Utilities Commission)

File 7-91-1, Resolution No. 141-91

Supervisor Achtenberg, seconded by Supervisor Maher, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Tabled

[Abandonment of Service]

Resolution disapproving partial abandonment of service on Municipal Railway Line 42-Downtown Loop along Second Street between Howard and Brannan Streets, on Howard Street between First and Second Streets and on Folsom Street between Fremont and Second Streets. (Public Utilities Commission)

File 7-91-1.1, Resolution No.

Supervisor Maher, seconded by Supervisor Kennedy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Tuesday, February 19, 1991

Dave Anderson;  
John O'Brien;  
Andrew Rose;  
Ray Matherson;  
Dehnert Queen.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-7, Resolution No. 130-91

(Mayor Art Agnos, February 17 - 18; John L. Taylor, Clerk of the Board of Supervisors, May 1 - 31; Anne Halsted, member, Port, February 13 - 19, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolution submitted after preparation of the Calendar.)

[Federal Legislation]

Resolution forwarding a letter from the Board of Supervisors in support of proposed regulation removing HIV infection from Immigration and Naturalization Service exclusion list.

File 13-91-3, Resolution No. 131-91

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Gonzalez, Hsieh, Maher - 3.

Tuesday, February 19, 1991

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]

Ordinance appropriating \$2,485,427, Public Health, for permanent salaries - miscellaneous, related mandatory fringe benefits, medical service contracts, materials and supplies and programmatic expenditures, for the creation of six positions; subject of previous budgetary denial; placing on reserve \$131,191 for AIDS-HCSS Contract Office and \$485,584 for AIDS-HCSS MIS; pending EIPSC approval. (Supervisors Gonzalez and Britt presented.) Referred to Finance Committee.

File 101-90-68

[Victims of Violence Advisory Committee]

Ordinance amending Administrative Code by adding Chapter 36A to establish the Victims of Violence Advisory Committee. (Supervisor Gonzalez presented.) Referred to City Services Committee.

File 97-91-12

Referred to Board

[CEQA Findings]

Resolution incorporating by reference City Planning Commission Resolution No. 13017 (which modified City Planning Commission Resolution No. 12040) and modifying Board of Supervisors Resolution No. 60-91 which, among other things, adopted and incorporated by reference the Mission Bay Findings approved by the City Planning Commission by its Resolution No. 12040 and adopting further findings pursuant to the California Environmental Quality Act. (Supervisor Gonzalez presented.) Referred to Board February 25, 1991 Immediate Adoption Calendar.

File 255-90-7.1

[Strybing Arboretum Nursery and Educational Facility]

Resolution supporting the efforts of the Strybing Arboretum Society to raise funds to finance the relocation of the nursery and the construction of an educational facility. (Supervisors Hsieh, Achtenberg, Alioto presented.) Referred to Board February 25, 1991 Immediate Adoption Calendar.

File 193-90-15.1



Tuesday, February 19, 1991

Referred to Committee

[State Legislation]

Resolution urging passage of Assembly Bill 203 relating to establishment of rescue and rehabilitation stations for sea birds, sea otters and other marine mammals affected by oil spills in marine waters by January 1, 1992. (Supervisor Maher presented.) Referred to Economic and Social Policy Committee.

File 12-91-3

Referred to Board

[Clavey River]

Resolution recommending the inclusion of the entire Clavey River into the Federal Wild and Scenic River system. (Supervisor Maher presented.) Referred to Board February 25, 1991 Immediate Adoption Calendar.

File 13-91-4

Referred to Committee

[Jail Medical and Psychiatric Services Plan]

Resolution approving long-term plan for jail medical and psychiatric services plan. (Supervisor Gonzalez presented on behalf of the City Attorney.) Referred to Finance Committee with request it be considered at the February 27, 1991 meeting.

File 195-91-1

Requests for Hearings

File 100-90-16, By Supervisor Hsieh: To consider proposals for financing seismic upgrades to unreinforced masonry buildings. Referred to City Services Committee.

File 12-91-4, By Supervisor Hallinan: To consider endorsing Senate Bills 1X and 5X relating to sales tax on newspapers and other currently non-taxed items. Referred to Finance Committee.

File 188-91-1, By Supervisors Migden and Kennedy: To consider current water conservation efforts by the Water Department; feasibility of requiring installation of water saving devices (low-flow showerheads, toilet dams) in residential multi-unit buildings and commercial and industrial accounts and to examine the recycling of water used for cooling purposes in commercial and industrial accounts. Referred to Economic and Social Policy Committee.

File 197-91-1, By Supervisor Hallinan: To consider requesting the San Francisco 49ers to restore our traditional SF logo to their helmets. Referred to Economic and Social Policy Committee.



Tuesday, February 19, 1991

File 200-91-2, By Supervisor Gonzalez: To consider the status of the City's current and future infrastructure projects (street repairs and improvements; rehabilitation and improvements of public buildings and facilities; infrastructure projects involving enterprise departments, such as, Port, Airport, Public Utilities Commission; new construction of bond-financed facilities; such as, library, police stations, jail facilities, earthquake safety improvements; Civic Center complex repairs and restoration; relevant financing issues). Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that City Attorney prepare appropriate legislation supporting AB 7 relating to mandatory motorcycle helmet.

By Supervisor Alioto, that City Attorney prepare appropriate legislation which would enable the Department of Public Health to implement the State Medical Waste Management Act.

By Supervisor Gonzalez, that City Attorney prepare appropriate legislation appropriating funds on reserve for the San Francisco Day Laborer program.

By Supervisor Hsieh, that letter be sent to General Manager, Water Department, inquiring about the status of efforts to implement a program of testing and utilization of the local groundwater supply pursuant to Board of Supervisors Resolution 499-90.

By Supervisor Migden, that City Attorney prepare appropriate legislation requiring installation of water saving devices (low-flow showerheads, toilet dams) in residential multi-unit buildings and commercial and industrial accounts.

By Supervisor Kennedy, that letter of inquiry be sent to the Public Utilities Commission to determine whether there is a policy regarding advertising on Muni vehicles and transit shelters with particular reference to whether there is a ban on cigarette and alcohol advertisements. If there is none, why not.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Henrietta Baynes (Supervisors Ward, Kennedy)  
Mary Cara (Supervisor Alioto)  
Michael B. Conner (Supervisor Kennedy)  
James C. Purcell (Supervisors Hallinan, Achtenberg)  
Chuck "Frau" Schneider (Supervisor Britt)

File 2-91-7

Unanimously adopted by a rising vote.

Tuesday, February 19, 1991

ADJOURNMENT

There being no further business, the Board at the hour of 5:31 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Tuesday, February 19, 1991

Approved by the Board of Supervisors on November 4, 1991

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors













2/25/91

2 Vol. 86

No. 8

Monday, February 25, 1991

# Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, February 25, 1991 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:16 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Noted absent at first roll call:

Supervisors Gonzalez, Maher - 2.

Quorum present.

Supervisor Gonzalez was noted present at 2:18 p.m.

Supervisor Maher was noted present at 2:18 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Hallinan, moved that the Journals of Proceedings for July 23, 25 and 30, 1990 be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

CONSENT CALENDAR

Recommendations of Finance Committee

Monday, February 25, 1991

Finally Passed

[Government Funding]

Ordinance appropriating \$50,322, Municipal Court, for permanent salaries and retirement allowance and rescinding \$50,322 from permanent salaries and a salary adjustment for twenty judges and three traffic referees, all related to Municipal Court for fiscal year 1990-91; effective January 1, 1991. (Controller)

File 101-90-42, Ordinance No. 79-91

Finally passed.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Municipal Court, to provide a salary increase for judges and traffic referees; effective January 1, 1991; companion measure to File 101-90-42. (Civil Service Commission)

File 102-90-9, Ordinance No. 80-91

Finally passed.

[Music Festival Lease]

Ordinance approving lease for establishing and operating two annual music festivals at Camp Mather, located at Tuolumne County, California. (Recreation and Park Department)

File 62-91-1, Ordinance No. 75-91

Finally passed.

[Revolving Fund]

Ordinance amending Administrative Code, to increase the cash revolving fund for the Adult Probation Department from \$200 to \$1,000. (Adult Probation Department)

File 97-91-6, Ordinance No. 78-91

(Amends Section 10.168.)

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$200,000 for legal services and rescinding \$200,000 from capital improvement project (Remote Data Acquisition and Control), Hetch Hetchy for fiscal year 1990-91. (Controller)

Monday, February 25, 1991

File 101-90-61, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$3,000,000, Port Commission, for judgment and claims. (Supervisor Gonzalez)

File 101-90-63, Ordinance No.

Passed for second reading.

Adopted

[Grant Application Funds]

Resolution authorizing the Mayor's Office of Community Development to apply for, accept and expend a grant in the amount of \$422,000, from the U.S. Department of Housing and Urban Development (HUD) for a project entitled "Emergency Shelter Grant Program"; requiring matching funds of \$422,000. (Mayor's Office of Community Development)

File 68-91-1, Resolution No. 185-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Forensic Youth Services (YGC) as a sub-grantee in collaboration with Larkin Street Youth Services, as prime grantee, to accept and expend a continuation allocation of \$17,500 from the Department of Health and Human Services, Office of Human Development Services, for health and substance abuse services to homeless youth. (Mayor)

File 146-91-19, Resolution No. 187-91

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Ronald S. Malson against the City and County by payment of \$7,000. (City Attorney)

File 45-90-64, Ordinance No. 74-91

(S.F. Superior Court No. 853-162.)

Monday, February 25, 1991

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of the City and County v. John J. Rosewick, et al., for \$442,100 and to take fee title of the property at the time of payment. (City Attorney)

File 46-90-22, Ordinance No. 67-91

(S.F. Superior Court No. 915-865.)

Finally passed.

[Settlement of Unlitigated Claims Under \$5,000]

Ordinance repealing Section 2 of Ordinance No. 66-90, removing the Sunset Clause of the authority provided by Section 10.21 of the Administrative Code for the City Attorney or a staff member designated by the City Attorney to settle unlitigated claims of under \$5,000 without the approval of the head of the department or the board or commission in charge of the department. (City Attorney)

File 97-90-1.1, Ordinance No. 76-91

Finally passed.

[Settlement of Litigation]

Ordinance amending Administrative Code, by authorizing the City Attorney or a staff member designated by the City Attorney to settle litigation by payment not exceeding \$5,000 without the approval of the Chief Administrative Officer or the board or commission in charge of the department, but with the approval of the head of the department which has jurisdiction over the matter, and requiring the City Attorney to submit monthly reports to the Board of Supervisors listing litigation settled for an amount not in excess of \$5,000. (City Attorney)

File 97-91-4, Ordinance No. 77-91

(Amends Section 10.22-2.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of matter of John Runfola (Complaint Not Yet Filed) against the City and County by payment of \$15,000. (City Attorney)

File 45-91-1, Ordinance No. 68-91

Finally passed.

Monday, February 25, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Benjamin Mizryukhin and Olga Fine against the City and County by payment of \$15,000. (City Attorney)

File 45-91-2, Ordinance No. 69-91

(Superior Court No. 899-866.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Godofredo Najarro against the City and County by payment of \$27,500. (City Attorney).

File 45-91-3, Ordinance No. 70-91

(Superior Court No. 898-184.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Kenneth Robinson against the City and County by payment of \$17,500. (City Attorney).

File 45-91-4, Ordinance No. 71-91

(Superior Court No. 912-402.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Gladys Howard against the City and County by payment of \$80,000. (City Attorney)

File 45-91-5, Ordinance No. 72-91

(United States District Court No. C87-5877.)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Dolores Huerta v. City and County. (City Attorney)

File 45-91-6, Ordinance No. 73-91

(U.S. District Court Case No. C89-3390 JPV.)

Finally passed.

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Recommendation of Economic and Social Policy Committee

Finally Passed

[Parking of Contractor's Vehicles]

Ordinance amending Traffic Code, to authorize issuance of additional contractors permits to licensed contractors ineligible for exclusive temporary use of parking meter zones under Section 202.E and to transfer from the Tax Collector to the Director of Parking and Traffic the authority to issue permits to use parking meter zones for construction vehicles. (Supervisor Maher)

File 124-91-1, Ordinance No. 82-91

(Amends Section 202.C.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$6,374,971, Port Commission, for facilities maintenance project (FEMA/OES Master Project) for fiscal year 1990-91; placing \$6,261,404 on reserve. (Controller)

File 101-90-46, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Finally Passed

[Government Funding]

Ordinance appropriating \$31,500, Health Service System, for other contractual services; providing for ratification of action previously taken. (Controller)

File 101-90-56, Ordinance No. 81-91



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Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendation of Administration and Oversight Committee

Consideration Continued

[Budget]

Motion authorizing and directing the Clerk of the Board to file with the Controller the budget estimates for fiscal year 1991-1992 for the Special Fund for Cable TV Access and Development (Board of Supervisors)

File 100-91-2.1

Supervisor Hallinan, seconded by Supervisor Britt, moved to continue consideration to March 4, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Hearing held;  
Adopted

[CEQA Findings]

Resolution incorporating by reference City Planning Commission Resolution No. 13017 (which modified City Planning Commission Resolution No. 12040) and modifying Board of Supervisors Resolution No. 60-91 which, among other things, adopted and incorporated by reference the Mission Bay Findings approved by the City Planning Commission by its Resolution No. 12040 and adopting further findings pursuant to the California Environmental Quality Act. (Supervisor Gonzalez)

File 255-90-7.1, Resolution No. 139-91

(February 19, 1991 - Introduced in Board for consideration on February 25, 1991.)

PUBLIC COMMENT

On the advice of the City Attorney, the President indicated that the subject legislation needs to be acted upon before the roll is called on the following five items relating to Mission Bay project.

Therefore, President Ward opened the Public Comment portion of the calendar and inquired if there was anyone present desiring to speak on this resolution.

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There being no response, the President declared the hearing closed on this item.

Thereupon, the roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 10.

Noes: Supervisor Hsieh - 1.

From Select Committee on Mission Bay Development  
Without Recommendation

Finally Passed

(Supervisor Hsieh dissenting in Committee.)

[Planning Code Text Amendment]

Ordinance amending Planning Code, to establish Mission Bay Districts and provide for permitted uses, zoning control tables, density, height district measurements and exceptions, building form articulation provisions, setbacks and projections, rooftop features, awnings and marquees, lot coverage and building separations, parking and freight loading/service vehicle provisions, sign provisions, relationship to transportation management, resident training and placement, childcare, office space limitation, historic preservation provisions, rules for nonconforming uses and noncomplying structures, rules for conditional, temporary and accessory uses, and provisions for compliance, permit approval and enforcement among other provisions. (Department of City Planning).

File 255-90-4, Ordinance No. 63-91

(Amends Sections 102, 201 and 202 to refer to new Article 9 and adds Article 9.)

(A court reporter was present for all items relating to the Mission Bay project and a copy of the transcript is on file in the office of the Clerk of the Board of Supervisors.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 10.

Noes: Supervisor Hsieh - 1.

(Supervisor Hsieh dissenting in Committee.)

[Reclassification of Property - Use Districts]

Ordinance amending Planning Code by amending Zoning Map for certain properties in Mission Bay Area generally bounded by Third Street, Berry Street and Fourth Street, China Basin Channel, China Basin,

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Mariposa, Pennsylvania, Seventh and Townsend Streets, all of Assessor's Blocks 3795-3798, 3804-3806, 3809, 3810, 3813, 3819, 3822, 3832, 3835, 3837-3841, 3849-3853, 3880, 3892, 3942, and 3944 and portions of Assessor's Blocks 3940, 3941, 3943, 3948 & 9900; and to reclassify these properties from C-M to MB-0 and from M-2 and P to MB-R-1, MB-R-2, MB-R-3, MB-0, MB-CI, MB-CF, MB-NC-S, MB-NC-2 and MB-NC-3, MB-H, M-1, and MB-OS Use Districts. (Department of City Planning)

File 255-90-5, Ordinance No. 61-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 10.

Noes: Supervisor Hsieh - 1.

(Supervisor Hsieh dissenting in Committee.)

[Reclassification of Property - Height Districts]  
Ordinance amending City Planning Code by amending Zoning Map for certain properties in Mission Bay Area generally bounded by Third, Berry, and Fourth Streets, the China Basin Channel, China Basin Street, Mariposa, Pennsylvania, Seventh and Townsend Streets, all of Assessor's Blocks 3795-3798, 3804-3806, 3809, 3810, 3813, 3819, 3822, 3832, 3835, 3837-3841, 3849-3853, 3880, 3892, 3942, and 3944 and portions of Assessor's Blocks 3940, 3941, 3943, 3948 and 9900; and to reclassify these properties from 40-X, 50-X, 80-B, 105-F, 130-B, and 200-E Height and Bulk Districts to OS, 45, 55, 70, 85, 95 and 110 Height Districts. (Department of City Planning)

File 255-90-6, Ordinance No. 62-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 10.

Noes: Supervisor Hsieh - 1.

(Supervisor Hsieh dissenting in Committee.)

[Mission Bay Development Agreement]  
Ordinance adopting and approving Development Agreement, as amended on February 19, 1991, by and between San Francisco and Catellus Development Corporation, and authorizing Mayor to execute Development Agreement on behalf of San Francisco. (Department of City Planning)

File 255-90-3, Ordinance No. 60-91

Finally passed by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 10.

Noes: Supervisor Hsieh - 1.

[Development Agreement Procedure]

Ordinance amending Administrative Code, clarifying the notice provisions, conforming to the Mission Bay Development Agreement; and permitting the Board to review a decision to issue a certificate of compliance. (Supervisor Hongisto)

File 97-90-64, Ordinance No. 59-91

(Amends Sections 56.8, 56.14, 56.15, 56.16 and 56.17.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

#### NEW BUSINESS

#### Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$17,903,602, Airports Commission, for various capital improvement projects, for fiscal year 1990-91; placing \$15,218,062 on reserve. (Controller)

File 101-90-57, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Government Funding]

Ordinance appropriating \$687,500, Parking and Traffic, for capital improvement project (Polk-Bush Garage), for fiscal year 1990-91. (Controller)

File 101-90-59, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

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[Government Funding]

Ordinance appropriating \$101,883, Sheriff Department, to purchase automotive vehicles, for fiscal year 1990-91. (Controller)

File 101-90-60, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Government Funding]

Ordinance appropriating \$300,000 for legal services and rescinding \$300,000 from capital improvement project (Mocassin Shop Buildings), Hetch Hetchy for fiscal year 1990-91; providing for ratification of action previously taken. (Controller)

File 101-90-62, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Public Health Contracts]

Ordinance amending Administrative Code, to permit the Department of Public Health to enter into agreements retroactive to January 1, 1990, with the San Francisco Community Clinic Consortium enabling the Department of Public Health to participate in health care services. (Department of Public Health)

File 97-91-7, Ordinance No.

(Adds Section 19A.25.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

[Contract]

Resolution approving the contract between the Department of Public Health and Health Management Systems, Inc., to provide electronic claims submission services, conditioned upon the Department of Public Health submitting an evaluation of these services to the Board of Supervisors six months after the initiation of these services. (Department of Public Health)

File 172-90-26, Resolution No. 188-91

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Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Islais Creek - State Revolving Fund Loan]  
Resolution finding and determining that the Islais Creek transport/storage facilities project will protect and preserve the environment and that the use of loan funds is the most cost-effective method of financing the project; authorizing the Director of Public Works to apply for and enter into loan agreements not to exceed \$93,000,000. (Supervisor Gonzalez)

File 53-91-1, Resolution No. 184-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Grant Application Funds]  
Resolution authorizing the Art Commission to apply for, retroactively, \$70,000 of California Arts Council Funds to support information and referral services to artists seeking combined living and studio space; to provide arts education resources linking schools and community centers to artists and arts organizations; to establish re-granting guidelines, application screening and review processes for funds available for youth through the Muni Bus Shelter Program and to expand those funds; and to support the exhibition of works by Bay Area artists at the Art Commission Gallery. (Art Commission)

File 132-91-1, Resolution No. 186-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

#### Recommendations of City Services Committee

Passed for Second Reading

[Underground Utility District 309]  
Ordinance amending Ordinance No. 96-89 modifying Sections 4, 5 and 6 to fix dates for conversion by property owners and removal of overhead facilities in Upper Ashbury Phase IIB Area and Phase IIC Area. (Department of Public Works)

File 52-91-1, Ordinance No.



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Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

[Strybing Arboretum Nursery and Educational Facility]  
Resolution approving relocation of the Strybing Arboretum Nursery and construction of an educational facility in Strybing Arboretum in Golden Gate Park, and adopting findings pursuant to City Planning Code Section 101.1. (Recreation and Park Department)

File 193-90-15, Resolution No. 189-91

(Categorical exemption from environmental review.)

(This item requires 8 votes for passage pursuant to Charter Section 3.552.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

From the Department of Public Works

Adopted

[Condominium Project]  
Motion approving final map of One Hills Plaza, also known as 75 Folsom Street, a condominium project, being a resubdivision of Lot 4 in Assessor's Block 3744; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-7

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]  
Hearing of persons interested in or objecting to the report of assessment of costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed at various locations by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a Revolving Fund.

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File 41-91-1

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

From the Department of Public Works

Adopted as Amended

[Assessment of Costs]

Resolution confirming report of assessment of costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed at various locations by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a Revolving Fund.

File 41-91-1, Resolution No. 183-91

<u>(Address</u>	<u>Amount</u>
((1117 Castro Street	\$ 720.50))
((3646 Kirkham Street	104.50))
((1491 - 37th Avenue	110.00))
((3641 Noriega Street	302.50))
1390 Oakdale Avenue	2,552.00
((306 Ridgewood Avenue	346.50))
((1940 Stockton Street	451.00))
((1212 - 11th Avenue	544.50))
((1207 - 33rd Avenue	341.00))
((1358 - 35th Avenue	324.50))
3018 - 22nd Street	1,292.50
4335 - 23rd Street	940.00.)

Supervisor Achtenberg, seconded by Supervisor Hsieh, moved to amend the report to delete the following nine properties: 1117 Castro Street, 3646 Kirkham Street, 1491 - 37th Avenue, 3641 Noriega Street, 306 Ridgewood Avenue, 1940 Stockton Street, 1212 - 11th Avenue, 1207 - 33rd Avenue and 1358 - 35th Avenue.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Supervisor Achtenberg, seconded by Supervisor Hsieh, moved to amend the resolution on page one, line 17, after "Costs," by inserting "as amended,".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.



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Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to the report of the General Manager of the Public Utilities Commission of delinquent Transit Impact Development Fees pursuant to Section 38.11 of the Administrative Code.

File 159-91-1

The privilege of the floor was granted to the following person:

Otto Pasian, representing property owner.

From Public Utilities Commission

Consideration Continued

[Delinquent Transit Impact Fee]

Resolution confirming report of delinquent payment of fees submitted by the General Manager of the Public Utilities Commission for collection of the Transit Impact Development Fee (TIDF) from 51 Federal Street, pursuant to the provisions of Section 38.11 of the Administrative Code, and creating special assessment and lien based thereon.

File 159-91-1, Resolution Mo.

Supervisor Achtenberg, seconded by Supervisor Alioto, moved to continue consideration to March 4, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Ace Washington.

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FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or by a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolution. Eight votes (or a unanimous vote if only six or seven members are present) is required.

(The following two items were acted on separately.)

Adopted

[Clavey River]

Resolution recommending the inclusion of the entire Clavey River into the Federal Wild and Scenic River system. (Supervisor Maher)

File 13-91-4, Resolution No. 182-91

(February 19, 1991 - Introduced in Board for consideration on February 25, 1991.)

Supervisor Shelley Excused From Voting

On advice of the City Attorney, Supervisor Shelley requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Maher, seconded by Supervisor Gonzalez, moved to excuse Supervisor Shelley from voting:

Motion to excuse Supervisor Shelley from voting adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden - 8.

Excused: Supervisor Shelley - 1.

Absent: Supervisors Britt, Ward - 2.

[Strybing Arboretum Nursery and Educational Facility]

Resolution supporting the efforts of the Strybing Arboretum Society

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to raise funds to finance the relocation of the nursery and the construction of an educational facility. (Supervisors Hsieh, Achtenberg, Alioto)

File 193-90-15.1, Resolution No. 190-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

#### IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-8, Resolution No. 140-91

(Doris Ward, President, Board of Supervisors, February 22 - 24; Jim Gonzalez, member, Board of Supervisors, March 10 - 13; Tom Hsieh, member, Board of Supervisors, March 1 - 3 and 11 - 13; Willie B. Kennedy, member, Board of Supervisors, March 11 - 19; Marilyn Chow, President, Social Services Commission, February 6 - 8; Joseph Driscoll, member, Retirement Board, February 25 - March 27; Richard Evans, Director, Department of Public Works, February 10 - 14; Allen Haile, member, Social Services Commission, February 20 - 26, March 1 - 3 and 19 - 26; Michael Hennessey, Sheriff, April 26 - May 12; Roberto Hernandez, member, Film and Video Arts Commission, February 8 - 12; Caryl Ito, member, Commission on the Status of Woman, February 8 - 17; Pierre Ludington, member, Health Commission, March 9 - 19, 1991.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Monday, February 25, 1991

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]

Ordinance appropriating \$70,000, Public Administrator, for permanent salaries, temporary salaries, mandatory fringe benefits, other contractual services, travel, other current services and materials and supplies, for the creation of two positions (day laborer's program). (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the March 6, 1991 meeting.

File 101-90-74

[Public Employment]

Ordinance amending Ordinance No. 288-90 (Annual Salary Ordinance) reflecting the addition of two positions in the Public Administrator/Public Guardian. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the March 6, 1991 meeting.

File 102-90-16

[Redevelopment Agency Bonds]

Resolution approving the issuance by the Redevelopment Agency of the City and County of San Francisco of Multifamily Housing Revenue Bonds in an additional aggregate principal amount not to exceed \$35,000,000 for the purposes of its residential construction financing program for the Western Addition A-2 Redevelopment Project Area. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 11-91-1

Referred to Board

[1991 National Energy Policy]

Resolution condemning the President of the United States' National Energy Policy for encouraging continued consumption of limited resources at great risk to the environment; urging the President to amend his National Energy Policy to include specific conservation measures; endorsing Congresswoman Barbara Boxer's Motor Vehicle Fuel Efficiency Act (HR 446). (Supervisors Alioto, Britt, Gonzalez, Migden, Shelley presented.) Referred to Board March 4, 1991 Immediate Adoption Calendar.

File 13-91-5

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Referred to Committee

[Redevelopment Agency Bonds]

Resolution approving the issuance by the Redevelopment Agency of the City and County of San Francisco of agency revenue bonds in a par value not to exceed \$30,000,000 to finance public improvements and public facilities in the Yerba Buena Center Redevelopment Project Area. (Supervisor Shelley presented.) Referred to Finance Committee.

File 91-91-1

[Ritz-Carlton Hotel Labor Force]

Resolution welcoming the Ritz-Carlton Hotel to San Francisco and urging the Ritz-Carlton to draw from the San Francisco based labor force, particularly residents of color, in meeting its hiring needs at all levels of the Hotel's personnel organization. (Supervisors Ward, Achtenberg, Kennedy, Alioto, Britt, Gonzalez, Migden, Shelley presented.) Referred to Economic and Social Policy Committee.

File 176-91-1

Requests for Hearings

File 193-91-3, By Supervisors Hallinan, Gonzalez and Maher: To consider plans for Kezar Stadium. Referred to City Services Committee.

Request for Report

Supervisor Hallinan, seconded by Supervisor Kennedy, moved that General Manager, Retirement Board, be requested to appear before the Board of Supervisor on March 4, 1991 to address the question of Retirement System's implementation of the MacBride Principles.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Referred to Board

[MacBride Principles]

Report from General Manager, Retirement System, concerning implementation of the MacBride Principles.

File 210-91-1.1

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

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By Supervisor Gonzalez, that letter of inquiry be sent to Chief, Fire Department, concerning pre-employment "hearing ability" standards in the case of Gregory Savin, firefighter applicant, to determine what can be done to certify that his hearing impairment will not jeopardize his performance as a firefighter and allow him to be employed.

By Supervisor Gonzalez, that letter be sent to Chief of Police inquiring whether he can investigate citizens concerns regarding alleged criminal activities in the vicinity of the Folsom Street playground and what plans can be implemented to solve the problem.

By Supervisor Gonzalez, that letter be sent to General Manager, Recreation and Park Department, inquiring whether she has investigated citizens concerns regarding alleged criminal activities in the vicinity of the Folsom Street playground and whether the Department has reviewed requests to place a full-time recreation director at this site; to completely enclose the playground with cyclone fence; repair the holes in the fence and lock up the park at 9:00 p.m. every night.

By Supervisor Kennedy, that letter of inquiry be sent to Executive Director, Parking and Traffic Department, to determine the feasibility of permitting Golden Gate buses on Market Street, west of Third Street, on a trial basis.

By Supervisor Kennedy, that letter of inquiry be sent to Chief of Police and General Manager, Municipal Railway, concerning the bus shelter on Cole Street at Haight Street, to determine what action can be taken to alleviate alleged illegal activities at this location.

By Supervisor Kennedy, that letter of inquiry be sent to Executive Director, Parking and Traffic Department, to determine the feasibility of outlining Stop signs with reflectors to make the signs more visible for night driving.

By Supervisor Maher, that City Attorney draft appropriate legislation which would declare all publicly owned parcels underneath and proximate to the Embarcadero Freeway, along the Broadway and Clay Street corridors, as open space.

By Supervisor Maher, that City Attorney draft appropriate legislation which would rezone the area bounded by the Embarcadero, along Broadway to Sansome and diagonally back to the Embarcadero at Clay Street, to 40 foot height limit.

By Supervisor Migden, that letter be sent to the California Judicial Council stating that the Board of Supervisors acknowledges that the San Francisco Court Appointed Special Advocates (SF CASA) has submitted an application for funding to the California Judicial Council under the Special Advocate Grant Program (RFP 91-1).

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

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Brian Fedorow (Supervisor Maher)  
John Hauff (By the entire Board)  
Charles Earl Jones (By the entire Board)  
Louis Kelso (Supervisor Hallinan)  
Kiran Singh (Supervisor Kennedy)  
Joan Starcher (Supervisor Ward)

File 2-91-8

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:21 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.



Monday, February 25, 1991

Approved by the Board of Supervisors on November 12, 1991

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors











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No. 9

Monday, March 4, 1991

# Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, March 4, 1991 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Shelley, Ward - 7.

Noted absent at first roll call:

Supervisors Gonzalez, Hsieh, Kennedy, Maher - 4.

Quorum present.

Supervisor Gonzalez was noted present at 2:24 p.m.

Supervisor Hsieh was noted present at 2:12 p.m.

Supervisor Kennedy was noted present at 2:11 p.m.

Supervisor Maher was noted present at 2:11 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Shelley, seconded by Supervisor Achtenberg, moved that the Journals of Proceedings for Monday, August 6 and 13, 1990 be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Britt, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Gonzalez, Hsieh - 3.

CONSENT CALENDAR

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Severed from Consent Calendar

Supervisor Kennedy requested that the following measures be severed from the Consent Calendar and considered separately.

Recommendations of Finance Committee

Consideration Continued

[Government Funding]

Ordinance appropriating \$17,903,602, Airports Commission, for various capital improvement projects, for fiscal year 1990-91; placing \$15,218,062 on reserve. (Controller)

File 101-90-57, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to March 11, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10

Absent: Supervisor Britt - 1.

Request Granted

In connection with the foregoing item, Supervisor Kennedy requested that the Clerk send a letter to the Director of Airports requesting his appearance to address several questions concerning subject legislation as follows: how does the Airport plan on utilizing minority business/women business firms at the prime level in the administering of these funds; in arranging these projects into large dollars projects, what assurance can the Airport give to this Board that the participation of minority business/women business/local business firms will occur; on some projects in the past the Airport have not applied the minority business/women business bid preference, how will the Airport gain the assistance of the Human Rights Commission in the implementation of this proposed ordinance. The Airport is requested to make a progress report to the Economic and Social Policy Committee on how the Airport intends on utilizing minority business/women business firms to the maximum extent feasible.

No objection and Clerk directed to comply.

Finally Passed

[Government Funding]

Ordinance appropriating \$200,000 for legal services and rescinding \$200,000 from capital improvement project (Remote Data Acquisition and Control), Hetch Hetchy for fiscal year 1990-91. (Controller)



Monday, March 4, 1991

File 101-90-61, Ordinance No. 89-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Gonzalez - 2.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$6,374,971, Port Commission, for facilities maintenance project (FEMA/OES Master Project) for fiscal year 1990-91; placing \$6,261,404 on reserve. (Controller)

File 101-90-46, Ordinance No. 87-91

Finally passed.

[Government Funding]

Ordinance appropriating \$687,500, Parking and Traffic, for capital improvement project (Polk-Bush Garage), for fiscal year 1990-91. (Controller)

File 101-90-59, Ordinance No. 84-91

Finally passed.

[Government Funding]

Ordinance appropriating \$101,883, Sheriff Department, to purchase automotive vehicles, for fiscal year 1990-91. (Controller)

File 101-90-60, Ordinance No. 88-91

Finally passed.

[Government Funding]

Ordinance appropriating \$3,000,000, Port Commission, for judgment and claims. (Supervisor Gonzalez)

Monday, March 4, 1991

File 101-90-63, Ordinance No. 83-91

Finally passed.

[Public Health Contracts]

Ordinance amending Administrative Code, to permit the Department of Public Health to enter into agreements retroactive to January 1, 1990, with the San Francisco Community Clinic Consortium enabling the Department of Public Health to participate in health care services. (Department of Public Health)

File 97-91-7, Ordinance No. 86-91

(Adds Section 19A.25.)

Finally passed.

Adopted

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Bureau of Communicable Disease Control, Tuberculosis Control Division, to apply for a grant of \$1,057,580, from the Department of Health and Human Services for the Tuberculosis Control Project. (Mayor)

File 146-91-21, Resolution No. 205-91

Adopted.

Recommendation of City Services Committee

Finally Passed

[Underground Utility District 309]

Ordinance amending Ordinance No. 96-89 modifying Sections 4, 5 and 6 to fix dates for conversion by property owners and removal of overhead facilities in Upper Ashbury Phase IIB Area and Phase IIC Area. (Department of Public Works)

File 52-91-1, Ordinance No. 85-91

Finally passed.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Linda Hallaji against the City and County by payment of \$40,000. (City Attorney)

Monday, March 4, 1991

File 45-91-8, Ordinance No.

(Superior Court No. 909-722.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Kenneth Tobin and Jane Smith v. Fen Fen Huang, et al., upon receipt of the sum of \$7,500; and dismissal of complaint. (City Attorney)

File 46-91-1, Ordinance No.

(Superior Court No. 872-720.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of John Hatley v. Guo Yi Deng, et al., upon receipt of the sum of \$8,333.33; and dismissal of complaint. (City Attorney)

File 46-91-2, Ordinance No.

(Superior Court No. 922-366.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Robert Skipton Barrington v. Ron C. Meyer, et al., upon receipt of the sum of \$13,333.33 less 1/3 costs; and dismissal of complaint. (City Attorney)

File 46-91-3, Ordinance No.

(Superior Court No. 881-753.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of City and County v. General Rent-A-Car, Inc., Piotr Kostrzewski, et al., upon receipt of the sum of \$6,411.18; and dismissal of complaint. (City Attorney)

File 46-91-4, Ordinance No.

(Superior Court No. 907-179.)

Passed for second reading.

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Adopted

[State Disability Insurance]  
Resolution authorizing enrollment of Classification 1823 Senior  
Administrative Analyst in the State Disability Insurance Program.  
(Employee Relations Division)

File 89-91-1, Resolution No. 194-91

Adopted.

[State Disability Insurance]  
Resolution authorizing enrollment of Classification 4349 Real Estate  
Director in the State Disability Insurance Program. (Employee  
Relations Division)

File 89-91-2, Resolution No. 195-91

Adopted.

[State Disability Insurance]  
Resolution authorizing enrollment of Classification 2810 Principal  
Disease Control Investigator in the State Disability Insurance  
Program. (Employee Relations Division)

File 89-91-3, Resolution No. 196-91

Adopted.

The foregoing items on the Consent Calendar were acted upon by  
the following vote:

Ayes: Supervisors Achtenberg, Britt, Hallinan, Hsieh, Kennedy,  
Maher, Migden, Shelley, Ward, - 9.

Absent: Supervisors Alioto, Gonzalez - 2.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendation of Finance Committee

Finally Passed

[Government Funding]  
Ordinance appropriating \$300,000 for legal services and rescinding  
\$300,000 from capital improvement project (Moccasin Shop Buildings),

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Hetch Hetchy for fiscal year 1990-91; providing for ratification of action previously taken. (Controller)

File 101-90-62, Ordinance No. 90-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward, - 9.

Absent: Supervisors Alioto, Gonzalez - 2.

Recommendation of Administration and Oversight Committee

Adopted as Amended

[Budget]

Motion authorizing and directing the Clerk of the Board to file with the Controller the budget estimates for fiscal year 1991-1992 for the Special Fund for Cable TV Access and Development (Board of Supervisors)

File 100-91-2.1

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

After a brief period of discussion, Supervisor Ward, seconded by Supervisor Kennedy, moved to amend the budget to include \$35,000 for municipal access.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Kennedy, Shelley, Ward - 5.

Noes: Supervisors Achtenberg, Britt, Hallinan, Hsieh, Maher, Migden - 6.

The President reassumed the Chair.

Supervisor Hallinan, seconded by Supervisor Achtenberg, moved to amend the budget estimates to reflect an allocation of \$35,000 for community access, \$35,000 for educational access and \$35,000 for municipal access; thereby amending the motion on line 13 after "1991" by adding "as amended".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 8.

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Noes: Supervisors Britt, Maher, Migden - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 8.

Noes: Supervisors Maher, Migden - 2.

Absent: Supervisor Britt - 1.

From Public Utilities Commission

Consideration Continued

[Delinquent Transit Impact Fee]

Resolution confirming report of delinquent payment of fees submitted by the General Manager of the Public Utilities Commission for collection of the Transit Impact Development Fee (TIDF) from 51 Federal Street, pursuant to the provisions of Section 38.11 of the Administrative Code, and creating special assessment and lien based thereon.

File 159-91-1, Resolution No.

Supervisor Alioto, seconded by Supervisor Migden, moved to continue consideration to March 18, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$14,000, Board of Supervisors, for other contractual services (Loma Prieta Earthquake Unmet Needs Action Plan); providing for ratification of action previously taken. (Controller)

File 101-90-58, Ordinance No.

Passed for second reading by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Gonzalez - 2.

[Government Funding]

Ordinance appropriating \$400,000, Municipal Railway, for services of other departments - Police Security, for fiscal year 1990-91. (Controller)

File 101-90-67, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Government Funding]

Ordinance appropriating \$2,471,362, Public Health, for permanent salaries - miscellaneous, related mandatory fringe benefits, medical service contracts, materials and supplies and programmatic expenditures, for the creation of five positions for fiscal year 1990-91; subject of previous budgetary denial; placing on reserve \$150,000 for equipment-AIDS Administrative Office \$131,191 for AIDS-HCSS Contract Office and \$485,584 for AIDS-HCSS MIS; pending EIPSC approval; providing for ratification of action previously taken. (Supervisors Gonzalez, Britt)

File 101-90-68, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Department of Public Health, Central Office, reflecting the addition of five positions (Classifications 2246 Assistant Director of Clinical Services, 2802 Epidemiologist I, 2230 Physician Specialist, 2908 Hospital Eligibility Worker, 2338 Nurse Practitioner); companion measure to File 101-90-68. (Civil Service Commission)

File 102-90-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.



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Adopted

[Household Hazardous Waste Grant]

Resolution authorizing the Chief Administrative Officer to apply for \$160,896.36 in Household Hazardous Waste Grant funding from the California Integrated Waste Management Board (CIWMB) and providing for ratification of action previously taken. (Chief Administrative Officer)

File 133-91-2, Resolution No. 204-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Negative Declaration]

Resolution adopting Final Negative Declaration, finding and determining that the expenditure of funds by the Sheriff's Department to construct an intake/booking/release, work furlough, and medical facility with parking on the Hall of Justice site, Assessor's Block 3759, lots 10, 12, 38 and 40, and Assessor's Block 3760, lots 117 and 120 for the property located at 425 Seventh Street will have no significant impact on the environment and adopting and incorporating findings of Final Negative Declaration. (Department of City Planning)

File 172-91-2.1, Resolution No. 192-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Grant Funding]

Resolution authorizing the Mayor and the President of the Board of Supervisors to execute a contract between the City and County of San Francisco and the California State Board of Corrections to provide \$39,488,087 for an improvement and expansion program of the Adult Corrections System as outlined in Resolution No. 96-90; appointing Department of Public Works to act as Grant Finance Officer; appointing Sheriff to act as Project Director; acknowledgement that matching funds have been appropriated; placing \$33,558,056 on reserve. (Sheriff)

File 172-91-2, Resolution No. 191-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.



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[Jail Medical and Psychiatric Services Plan]

Resolution approving long-term plan for Jail Medical and Psychiatric Services Plan; companion measure to Files 172-91-2 and 172-91-2.1. (Supervisor Gonzalez)

File 195-91-1, Resolution No. 208-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendations of Administration and Oversight Committee

Adopted

[Appointment]

Resolution appointing member to the Airport Noise Committee, for the three-year term ending September 30, 1993. (Administration and Oversight Committee)

File 92-90-32.3, Resolution No. 199-91

(David Wilson, Airport, vice Ron Wilson, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Appointment]

Resolution appointing member to the Drug Abuse Advisory Board, for the three year term ending October 1, 1993. (Administration and Oversight Committee)

File 92-90-33, Resolution No. 200-91

(Jesse J. Ivy, law enforcement, vice Wilbert K. Battle, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Appointments]

Resolution appointing members to the Veterans Affairs Council, for the four-year term ending January 31, 1995. (Administration and Oversight Committee)

File 92-90-40.1, Resolution No. 201-91

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(Henri I. Leleu, Category 1, vice himself, term expired;  
Arch Wilson, at large, vice Charles Gallman, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez,  
Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Appointment]

Resolution appointing member to the Mental Health Advisory Board,  
for the unexpired portion of a three-year term ending January 31,  
1992. (Administration and Oversight Committee)

File 92-91-1, Resolution No. 197-91

(Robin Cooper, M.D., Physician/Psychiatrist, vice Bert Levinson,  
resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez,  
Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Appointment]

Resolution appointing member to the Mental Health Advisory Board,  
for the unexpired portion of a three-year term ending January 31,  
1993. (Administration and Oversight Committee)

File 92-91-3, Resolution No. 198-91

(Edward de la Cruz, public interest, vice Louise Swig, resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez,  
Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Lesbian/Gay Military Personnel]

Resolution requesting the City Attorney to act as amicus curiae for  
San Francisco residents who are lesbian or gay, who serve in the  
military during Operation Desert Storm, and who are dismissed from  
military services subsequent to the termination of hostilities on  
the basis of their sexual orientation. (Supervisor Maher)

File 179-91-1, Resolution No. 207-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez,  
Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

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Recommendations of Economic and Social Policy Committee

Amended; Consideration Continued with pending amendment

[Rent Ordinance]

Ordinance amending Administrative Code, to permit landlords to pass through to tenants fifty percent of the penalties for exceeding water allotment. (Supervisors Kennedy, Migden)

File 109-88-3, Ordinance No.

(Amends Sections 37.3 and 37.8.)

Supervisor Migden, seconded by Supervisor Achtenberg, moved to amend page two, lines 15 thru 20, by deleting entire section "A" and inserting the following amendment: "A. The landlord provides tenants with written certification that the following have been installed in all units: (1) permanently-installed retrofit devices designed to reduce the amount of water used per flush or low-flow toilets (1.6 gallons per flush); (2) low-flow showerheads which allow a flow of no more than 2.5 gallons per minute; and (3) faucet aerators (where installation on current faucets is physically feasible); and".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Supervisor Migden, seconded by Supervisor Achtenberg, moved to amend page two, lines 26 and 27, by replacing "; and" with "." and to amend page three, lines one and two, by deleting "D. Only penalties accrued after the effective date of the ordinance may be passed-through to tenants." and inserting "Only penalties billed for a service period which begins after the effective date of the ordinance may be passed through to tenants. Where penalties result from an allocation which does not reflect documented changes in occupancy which occurred after March 1, 1991, a landlord must, if requested in writing by a tenant, make a good faith effort to appeal the allotment.".

Supervisor Kennedy, seconded by Supervisor Hsieh moved to continue consideration to March 11, 1991 with pending amendment.

Motion to continue with pending amendment adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

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Adopted

[Negative Declaration]

Resolution adopting Final Negative Declaration, finding and determining that the addition of Planning Code Section 249.9 to establish an Affordable Housing Special Use District, and the construction of 18 affordable housing units after demolition of two office/warehouse structures, all at Lots 8 and 9 in Tax Assessor's Block 3558, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration. (Department of City Planning)

File 115-91-2.1, Resolution No. 203-91

The Clerk announced that the City Planning Commission has adopted and approved a conditional use permit, which relates to this and the following two items, and the Board of Supervisors has received an appeal from that permit. If the appeal contains sufficient signatures, it will be heard by the Board on March 25, 1991. The City Attorney advised these items can be considered separately or continued to March 25.

The President inquired if there is a motion to continue these items.

Hearing none, the President directed that the roll be called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Passed for Second Reading

[Zoning Map

[Affordable Housing Special Use District]

Ordinance amending City Planning Code, to create an Affordable Housing Special Use District at Sixteenth and Church Streets and finding consistency with City Planning Code Section 101.1. (Supervisors Ward and Gonzalez)

File 81-90-3, Ordinance No.

(Adds Section 249.9.)

(Approved by City Planning Commission Resolution No. 12096.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Zoning Map Amendment]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 3400 16th Street, northwest corner at Church

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Street, Lots 8 and 9 in Assessor's Block 3558 from an RM-2 (Mixed Residential, Moderate Density) District to an RM-2 (Mixed Residential, Moderate Density) District and the Sixteenth and Church Streets Affordable Housing Special Use District; companion measure to Files 115-90-2.1 and 81-90-3. (Department of City Planning)

File 115-90-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Engine Idling of Privately-Owned Motor Coaches]  
Ordinance amending Traffic Code, prohibiting the idling of engines of privately-owned motor coaches while parked or standing.  
(Supervisors Hsieh, Gonzalez, Alioto, Kennedy)

File 124-90-5, Ordinance No.

(Adds Section 60.5.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Water Conservation Ordinance]  
Ordinance amending Administrative Code, establishing limitations on water use for landscaping new developments. (Supervisors Walker, Maher)

File 97-91-3, Ordinance No.

(Adds Chapter 63.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

[Critical Incident Response Team]  
Resolution declaring the need for a Critical Incident Response Team that would work to assist victims of violence and their families and work to prevent incidents of violence and death among the city's youth; and urging the Mayor to urge the Health Commission to submit supplemental appropriations to provide funding for such a Critical Incident Response Team. (Supervisors Kennedy, Ward, Alioto, Migden)

File 100-90-15, Resolution No. 202-91

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Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Bail Increase for Parking Prohibition]

Resolution urging the Municipal Court of the City and County to increase the bail for violation of California Vehicle Code Section 22522; urging the completion of the painting of the City's sidewalk access ramps red within six months. (Supervisors Hsieh, Alioto, Kennedy)

File 171-91-1, Resolution No. 206-91

Supervisor Migden, seconded by Supervisor Maher, moved to amend page one, line 17, and page two, line four, by replacing "\$100" with "\$40".

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Britt, Maher, Migden - 3.

Noes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 8.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 8.

Noes: Supervisors Britt, Maher, Migden - 3.

From the Department of Public Works

Adopted

[Condominium Project]

Motion approving final map of 385-91 4th Avenue and 4000-06 Geary Boulevard, being a resubdivision of Lot 16 in Assessor's Block 1436; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-8

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.



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From the Board

Consideration Continued

Report from General Manager, Retirement System, concerning implementation of the MacBride Principles.

File 210-91-1.1

Supervisor Hallinan announced that he was contacted by Ms. Clare Murphy, General Manager, Retirement System, indicated she will be out of the City on official City business this week and requested this matter be continued for one week.

Thereupon, Supervisor Hallinan, seconded by Supervisor Migden, moved to continue consideration to March 11, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Adopted

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or by a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolution. Eight votes (or a unanimous vote if only six or seven members are present) is required.

[1991 National Energy Policy]  
Resolution condemning the President of the United States' National Energy Policy for encouraging continued consumption of limited resources at great risk to the environment; urging the President to amend his National Energy Policy to include specific conservation measures; endorsing Congresswoman Barbara Boxer's Motor Vehicle Fuel Efficiency Act (HR 446). (Supervisors Alioto, Britt, Gonzalez, Migden, Shelley)

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File 13-91-5, Resolution No. 193-91

(February 25, 1991 - Introduced in Board for consideration on March 4, 1991.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hsieh - 3.

#### IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-9, Resolution No. 179-91

(Terence Hallinan, member, Board of Supervisors, March 26 - April 3; Kevin Shelley, member, Board of Supervisors, March 7 - 12; Doris Ward, President, Board of Supervisors, March 8 - 23; Gordon Chin, member, Public Utilities Commission, March 2 - 5; Kenneth Dowlin, City Librarian, February 27 - March 3; Thomas J. Elzey, General Manager, Public Utilities Commission, February 20 - 23; Anne Halsted, member, Port, February 13 - 19; Patrick A. Murphy, member, International Airport, March 1 - 2; Frederick F. Postel, Chief, Fire Department, March 12 - 16, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[Acknowledgment]

Resolution recognizing Boris and Alla Kelman for their commitment to the cause of Soviet Jews.

File 4-91-5, Resolution No. 178-91



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Supervisors Migden, Achtenberg, Shelley presented for immediate adoption.

Adopted.

[State Legislation]

Resolution supporting Assembly Bill 101 which would amend State laws governing discrimination in employment and housing to include sexual orientation within the unlawful bases for discrimination.

File 12-91-5, Resolution No. 180-91

Supervisors Migden, Achtenberg, Shelley presented for immediate adoption.

Adopted.

[Curriculum Materials]

Resolution urging the San Francisco School Superintendent and the School Board to make sure the curriculum materials adequately reflect the cultural, religious, ethnic and sexual minority diversity of our society.

File 182-91-1, Resolution No. 181-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hsieh - 3.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Performing Arts Loan Program]

Ordinance amending Administrative Code by amending Sections 50.1, 50.2, 50.12, 50.21, 50.22, 50.24 and 50.26, to clarify eligibility for and conditions for administration of the non-profit performing arts loan program. (Supervisor Kennedy presented.) Referred to Finance Committee.

File 97-91-14

Monday, March 4, 1991

[Rent Ordinance]

Ordinance amending Administrative Code by amending Section 37.9 to clarify that the definition of actual damages for wrongful recovery or attempted wrongful recovery of a rental unit includes damages for mental and emotional distress and that this definition is the one that the Board of Supervisors had intended in enacting Section 37.9(e) of this chapter in 1982. (Supervisor Achtenberg presented.) Referred to Economic and Social Policy Committee.

File 109-91-1

[Towing Cars from Blue Zones]

Draft ordinance amending Traffic Code by adding Section 70b which subjects to towing vehicles left illegally parked within three feet of any sidewalk access ramp constructed adjacent to a crosswalk so as to be accessible to and usable by the physically handicapped. (Supervisor Achtenberg presented.) Referred to Economic and Social Policy Committee.

File 124-91-2

Referred to Board

[State Legislation]

Resolution endorsing the California Coastal Sanctuary Act of 1991, AB 854. (Supervisor Alioto presented.) Referred to Board March 11, 1991 Immediate Adoption Calendar.

File 12-91-6

Referred to Committee

[Veterans of the Persian Gulf War]

Resolution urging the Mayor to plan a welcome home to honor our returning soldiers and reservists, determining that San Francisco no longer needs to provide sanctuary and urging the Federal and State governments to work to provide fair and equal opportunities for jobs, education and health care and to re-integrate the returning soldiers and reservists into our society. (Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee.

File 43-91-5

[Grants]

Resolution requiring grant requests to address issues of accessibility for disabled people. (Supervisor Migden presented.) Referred to Finance Committee.

File 97-91-16

Monday, March 4, 1991

### Requests for Hearings

File 4-91-6, By Supervisor Maher: To consider declaring a day to be "Troop Celebration Day" in honor of the thousands of Bay Area men and women who fought in the Middle East. Referred to Economic and Social Policy Committee.

File 18-91-3, By Supervisor Ward: To consider installation of a Stop sign at the intersection of Hawes street and Hollister Avenue. Referred to Economic and Social Policy Committee.

File 18-91-4, By Supervisor Ward: To consider installation of a Stop sign at the intersection of Palou Avenue and Jennings Street. Referred to Economic and Social Policy Committee.

File 97-91-15, By Supervisor Alioto: To consider requiring all contractors for health care services to pay prevailing wages to persons providing support services. Referred to Finance Committee.

File 188-91-2, By Supervisor Achtenberg: To consider establishing a comprehensive, economically and technologically feasible long-range water reclamation policy. Referred to City Services Committee.

### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that letter be sent on behalf of the entire Board to Supervisor Angela Alioto expressing congratulation on her successful election on March 2, 1991 to the office of Vice-Chair of the California Democratic Party.

By Supervisor Hsieh, that letters of inquiry be sent to his Honor, the Mayor, and to the Controller to determine the status of the Mayor's Earthquake Emergency Relief Fund, including amounts of each donation made to the fund, each expenditure from the fund and the current fund balance and requesting a response be provided to the Board within two weeks.

By Supervisor Kennedy, that letter of inquiry be sent to the Redevelopment Agency concerning services (concrete retaining walls) rendered by Liberty Builders at the Fillmore Center to determine what the Agency can do to help expedite payment for services rendered.

By Supervisor Kennedy, that letters be sent to General Manager, Recreation and Park Department; Chief of Police and Director, Parking and Traffic Department, to inquire what can be done to see that bicycle riders adhere to Stop signs within Golden Gate Park.

By Supervisor Kennedy, that letter of inquiry be sent to Director, Parking and Traffic Department, to determine the feasibility of installing four-way Stop signs at the intersection of 22nd Avenue and Pacheco Street.

Monday, March 4, 1991

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Jim Filipelli (Supervisor Achtenberg)  
Guillermo Ungo (Supervisor Britt)

File 2-91-1

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:37 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, March 4, 1991

Approved by the Board of Supervisors on December 9, 1991

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors









3/11/91

C.2 Vol. 86

No. 10

Monday, March 11, 1991

# Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, March 11, 1991 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Doris Ward, the meeting was called to order at 2:03 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Noted absent at first roll call:

Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

Quorum present.

Supervisor Gonzalez excused, on official leave of absence.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Shelley excused, on official leave of absence.

Supervisor Ward excused, on official leave of business.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Britt, seconded by Supervisor Hallinan, moved that Supervisor Achtenberg be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

Supervisor Achtenberg assumed the Chair.

Monday, March 11, 1991

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, August 20, 1990 be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

CONSENT CALENDAR

Recommendations of Finance Committee

Adopted

[Contracting Out City Services]

Resolution concurring with the Controller's certification that janitorial services can be practically performed at the Office of the Controller at 160 South Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Controller)

File 25-91-1, Resolution No. 220-91

Adopted.

[Contracting Out City Services]

Resolution concurring with the Controller's certification that services of the Budget Analyst can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Clerk of the Board)

File 25-91-2, Resolution No. 221-91

Adopted.

[Lease of Real Property]

Resolution authorizing lease of real property at 1212 Market Street for the Employees' Retirement System. (Real Estate Department)

File 64-91-4, Resolution No. 211-91

Adopted.

Monday, March 11, 1991

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Linda Hallaji against the City and County by payment of \$40,000. (City Attorney)

File 45-91-8, Ordinance No. 91-91

(Superior Court No. 909-722.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Kenneth Tobin and Jane Smith v. Fen Fen Huang, et al., upon receipt of the sum of \$7,500; and dismissal of complaint. (City Attorney)

File 46-91-1, Ordinance No. 93-91

(Superior Court No. 872-720.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of John Hatley v. Guo Yi Deng, et al., upon receipt of the sum of \$8,333.33; and dismissal of complaint. (City Attorney)

File 46-91-2, Ordinance No. 94-91

(Superior Court No. 922-366.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Robert Skipton Barrington v. Ron C. Meyer, et al., upon receipt of the sum of \$13,333.33 less 1/3 costs; and dismissal of complaint. (City Attorney)

File 46-91-3, Ordinance No. 95-91

(Superior Court No. 881-753.)

Finally passed.

Monday, March 11, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of City and County v. General Rent-A-Car, Inc., Piotr Kostrzewski, et al., upon receipt of the sum of \$6,411.18; and dismissal of complaint. (City Attorney)

File 46-91-4, Ordinance No. 96-91

(Superior Court No. 907-179.)

Finally passed.

Recommendations of Economic and Social Policy Committee

Finally Passed

[Engine Idling of Privately-Owned Motor Coaches]

Ordinance amending Traffic Code, prohibiting the idling of engines of privately-owned motor coaches while parked or standing. (Supervisors Hsieh, Gonzalez, Alioto, Kennedy)

File 124-90-5, Ordinance No. 100-91

(Adds Section 60.5.)

Finally passed.

[Water Conservation Ordinance]

Ordinance amending Administrative Code, establishing limitations on water use for landscaping new developments. (Supervisors Walker, Maher)

File 97-91-3, Ordinance No. 92-91

(Adds Chapter 63.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Monday, March 11, 1991

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$17,903,602, Airports Commission, for various capital improvement projects, for fiscal year 1990-91; placing \$15,218,062 on reserve. (Controller)

File 101-90-57, Ordinance No. 98-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

Consideration Continued

[Government Funding]

Ordinance appropriating \$14,000, Board of Supervisors, for other contractual services (Loma Prieta Earthquake Unmet Needs Action Plan); providing for ratification of action previously taken. (Controller)

File 101-90-58, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Britt, moved to continue consideration to March 25, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Migden - 6.

Noes: Supervisor Maher - 1.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Government Funding]

Ordinance appropriating \$400,000, Municipal Railway, for services of other departments - Police Security, for fiscal year 1990-91. (Controller)

File 101-90-67, Ordinance No.

Supervisor Migden, seconded by Supervisor Alioto, moved to continue consideration to March 18, 1991.

Motion to continue adopted by the following vote:

Monday, March 11, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Government Funding]

Ordinance appropriating \$2,471,362, Public Health, for permanent salaries - miscellaneous, related mandatory fringe benefits, medical service contracts, materials and supplies and programmatic expenditures, for the creation of five positions for fiscal year 1990-91; subject of previous budgetary denial; placing on reserve \$150,000 for equipment-AIDS Administrative Office, \$131,191 for AIDS-HCSS Contract Office and \$485,584 for AIDS-HCSS MIS; pending ELPSC approval; providing for ratification of action previously taken. (Supervisors Gonzalez, Britt)

File 101-90-68, Ordinance No.

(This item is the subject of previous budgetary denial; requires 8 votes for passage, pursuant to Charter Section 6.306.)

Supervisor Maher, seconded by Supervisor Alioto, moved to continue consideration to March 18, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Department of Public Health, Central Office, reflecting the addition of five positions (Classifications 2246 Assistant Director of Clinical Services, 2802 Epidemiologist I, 2230 Physician Specialist, 2908 Hospital Eligibility Worker, 2338 Nurse Practitioner); companion measure to File 101-90-68. (Civil Service Commission)

File 102-90-13, Ordinance No.

Supervisor Maher, seconded by Supervisor Alioto, moved to continue consideration to March 18, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.



Monday, March 11, 1991

Recommendations of Economic and Social Policy Committee

Passed for Second Reading as Amended

[Rent Ordinance]

Ordinance amending Administrative Code, to permit landlords to pass through to tenants fifty percent of the penalties for exceeding water allotment. (Supervisors Kennedy, Migden)

File 109-88-3, Ordinance No.

(Amends Sections 37.3 and 37.8.)

(March 4, 1991 - Consideration continued to March 11, 1991, with pending amendment as follows:  
amend page two, lines 26 and 27, by replacing "; and" with "." and to amend page three, lines one and two, by deleting "D. Only penalties accrued after the effective date of the ordinance may be passed-through to tenants."; and inserting "Only penalties billed for a service period which begins after the effective date of the ordinance may be passed through to tenants. Where penalties result from an allocation which does not reflect documented changes in occupancy which occurred after March 1, 1991, a landlord must, if requested in writing by a tenant, make a good faith effort to appeal the allotment.".

The roll was called on the pending amendment as shown above and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

Supervisor Kennedy, seconded by Supervisor Maher, moved to amend page four, lines seven and eight, and page five, line 10, after "electricity", by deleting "or water penalties".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

Supervisor Migden, seconded by Supervisor Maher, moved to amend page 11, line 26, by inserting the following language: "Section 2. The Board is instructed to prepare a notification to landlords of the policy changes reflected in this ordinance regarding the pass-through of excess use charges, and to provide the notification to the Water Department for reproduction and distribution through the Water Department's bill insert program."

Monday, March 11, 1991

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

The roll was then called on the pending ordinance and it was passed for second reading, as amended, by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Maher, Migden - 6.

Noes: Supervisor Britt - 1.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

#### Finally Passed

[Affordable Housing Special Use District]  
Ordinance amending City Planning Code, to create an Affordable Housing Special Use District at Sixteenth and Church Streets and finding consistency with City Planning Code Section 101.1.  
(Supervisors Ward and Gonzalez)

File 81-90-3, Ordinance No. 97-91

(Adds Section 249.9.)

(Approved by City Planning Commission Resolution No. 12096.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Maher, Migden - 6.

Absent: Supervisors Britt, Gonzalez, Hsieh, Shelley, Ward - 5.

[Zoning Map Amendment]  
Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 3400 16th Street, northwest corner at Church Street, Lots 8 and 9 in Assessor's Block 3558 from an RM-2 (Mixed Residential, Moderate Density) District to an RM-2 (Mixed Residential, Moderate Density) District and the Sixteenth and Church Streets Affordable Housing Special Use District; companion measure to File 81-90-3. (Department of City Planning)

File 115-91-2, Ordinance No. 99-91

Finally passed by the following vote:

Monday, March 11, 1991

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Maher, Migden - 6.

Absent: Supervisors Britt, Gonzalez, Hsieh, Shelley, Ward - 5.

From the Board

Report Received; Filed

Report from General Manager, Retirement System, concerning implementation of the MacBride Principles.

File 210-91-1.1

Ms. Clare Murphy appeared and stated that in December, 1988, the Retirement Board considered the MacBride Principles and adopted it as one of six social investment policies at its September 27, 1988 meeting (copy of which is contained in Board of Supervisors file).

In response to Supervisor Hallinan's inquiry, Ms. Murphy stated the Retirement Board does have an affirmative action policy.

In response to Supervisor Hallinan's inquiry whether the Retirement Board is required to adhere to the McBride Principles, Deputy City Attorney Ted Lahey stated that the Retirement Board is not obligated to adhere to this ordinance pursuant to Charter Section 3.671.

In response to Supervisor Kennedy's inquiry, Mr. Lahey stated the Retirement Board is not obligated to adhere to the South Africa legislation.

In response to Supervisor Kennedy's inquiry, Deputy City Attorney Ted Lahey stated the Retirement Board is obligated to follow the Minority Business/Women Business/Local Business ordinance.

Requests Granted

Supervisor Kennedy requested City Attorney to review what steps this Board can do to urge the Retirement Board on all political matters (not fiscal matters) to adhere to policies, ordinances and resolutions of the City and County.

Ms. Murphy was requested and she indicated she would convey the concerns raised by the Board of Supervisors to the Retirement Board.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

Monday, March 11, 1991

[Government Funding]

Ordinance appropriating \$2,568,280, Fire Department, for judgment and claims (attorneys' fees), for fiscal year 1990-91; placing \$2,568,280 on reserve. (Controller)

File 101-90-64, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Government Funding]

Ordinance appropriating \$1,035,170, Fire Department, for judgment and claims (attorneys' fees), for fiscal year 1990-91. (Controller)

File 101-90-65, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Government Funding]

Ordinance appropriating \$44,910, Public Health - DMSF, for permanent salaries-miscellaneous and nurses, mandatory fringe benefits, equipment purchase and data/word processing equipment and rescinding \$639 from permanent salaries-nurses, for the creation of eight positions and deletion of four positions, for fiscal year 1990-91. (Controller)

File 101-90-66, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Department of Public Health, Community Mental Health, reflecting the addition of eight positions and the deletion of four positions; companion measure to File 101-90-66. (Civil Service Commission)

File 102-90-11, Ordinance No.

Monday, March 11, 1991

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Government Funding]

Ordinance appropriating \$70,000, Public Administrator, for permanent salaries, temporary salaries, mandatory fringe benefits, other contractual services, travel, other current services and materials and supplies, for the creation of two positions (Day Laborer Pilot Project). (Supervisor Gonzalez)

File 101-90-74, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Public Employment]

Ordinance amending Ordinance No. 288-90 (Annual Salary Ordinance) reflecting the addition of two positions in the Public Administrator/Public Guardian Office; companion measure to File 101-90-74. (Supervisor Gonzalez)

File 102-90-16, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

Adopted

[Penalty Surcharge]

Resolution authorizing the funding of Fingerprint Identification System by collecting fifty cents (\$.50) surcharge on all fines, penalties and forfeitures imposed and collected by the courts for criminal offenses pursuant to Section 76383 of the California Government Code. (Police Commission)

File 97-91-10.1, Resolution No. 224-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Monday, March 11, 1991

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

Passed for Second Reading

[Fingerprint Identification Fund]

Ordinance amending Administrative Code, creating a special fund for the San Francisco's Fingerprint Identification System by placing in a special fund the proceeds of a surcharge of fifty cents (\$.50) for every ten dollars (\$10) collected for certain fines, penalties, and forfeitures imposed and collected by the courts for criminal offenses; companion measure to File 97-91-10.1. (Police Commission)

File 97-91-10, Ordinance No.

(Adds Section 10.117-108.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

Adopted

[Support of SB 1X]

Resolution supporting SB 1X removing the exemption of sales tax on motion pictures, custom computer programs, certain types of aircraft, certain types of watercraft, jet fuel and cargo shipping containers; requesting that the Clerk of the Board communicate support of SB 1X to San Francisco's elected State officials and Governor Wilson; and directing the City's lobbyist to keep the Board of Supervisors informed of the Legislature's budget deliberations. (Supervisor Hallinan)

File 12-91-4, Resolution No. 219-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Migden - 6.

Noes: Supervisor Maher - 1.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

Tabled

(Supervisor Hallinan dissenting in Committee.)

[Support of SB 5X]

Resolution supporting SB 5X removing the exemption of sales tax on candy, snacks, confectionaries, nonmedicated chewing gum, newspapers and periodicals, and specified types of photographs reproduced one



Monday, March 11, 1991

time only in a newspaper; requesting that the Clerk of the Board communicate support of SB 5X to San Francisco elected State officials and Governor Wilson; and directing the City's lobbyist to keep the Board of Supervisors informed of the Legislature's budget deliberations. (Finance Committee )

File 12-91-4.1, Resolution No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to table.

Motion to table adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Kennedy, Maher - 5.

Noes: Supervisors Achtenberg, Migden - 2.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

#### Request Refused Adoption

Supervisor Britt, seconded by Supervisor Maher, moved that Legislative Advocate be directed to oppose SB 5X.

Motion to direct Legislative Advocate to oppose SB 5X refused adoption by following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Maher - 4.

Noes: Supervisors Achtenberg, Kennedy, Migden - 3.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

#### Adopted

[Contract - Viacom Cable System Reappraisal Cost Sharing]  
Resolution authorizing execution of contract with Sonoma County for sharing costs of a ten-county-wide Viacom Cable System Reappraisal - San Francisco's share being \$1,715. (Assessor's Office)

File 32-91-1, Resolution No. 222-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Lease of Real Property]  
Resolution authorizing lease of real property at Sixth and Ahern Streets described as Lot "D", Block 3759, Lot 9 and portion of Lot 12, for the Sheriff's Department. (Real Estate Department)

Monday, March 11, 1991

File 64-91-5, Resolution No. 210-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Social Services Contract]

Resolution authorizing the retroactive modification to agreement (CD-6464) in the amount of \$5,619 between the City and County and the State of California Department of Education for participation by the City and County in the State's Child Care Development Program for fiscal year 1990-91. (Department of Social Services)

File 107-91-2, Resolution No. 225-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend an augmentation to a grant of \$97,532 from the State Department of Health Services for Women, Infants and Children Services funded by the grant; placing \$15,000 on reserve. (Mayor)

File 146-91-20, Resolution No. 226-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Grant - Federal Funds]

Resolution authorizing the Director of Public Works to apply for, accept and expend \$310,000 in Federal Highway Emergency Relief Funds for traffic mitigation improvements necessitated by the closure of the Embarcadero Freeway due to earthquake damage. (Department of Public Works)

File 148-91-4, Resolution No. 227-91

Adopted by the following vote:



Monday, March 11, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Acquisition of Property]

Resolution authorizing acquisition of real property identified as City and County of San Francisco Assessor's Block 2050A, Lots 11, 12, 21 and 22 for open space purposes; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 168-91-1, Resolution No. 209-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

[Agreement Amendment]

Resolution approving third amendment to the Japan Center Lighting Agreement for the Recreation and Park Department. (Real Estate Department)

File 193-91-2, Resolution No. 212-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

Recommendations of City Services Committee

Passed for Second Reading

[Street Acceptance]

Ordinance accepting roadways, including curbs, of eleven blocks of California Street, a dedicated public right-of-way, from Third Avenue to Fourth Avenue, from Fifth Avenue to Twelfth Avenue, from Funston Avenue to Fourteenth Avenue, from Fifteenth Avenue to Sixteenth Avenue, and from Nineteenth Avenue to Twentieth Avenue. (Department of Public Works)

File 9-90-3, Ordinance No.

Passed for second reading by the following vote:

Monday, March 11, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

Adopted

[Permit]

Resolution granting revocable permission to Peter Yorke Associates to install a PG&E transformer vault under the south side of Sutter Street, east of Gough Street fronting Assessor's Block 689, Lot 13, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-91-1, Resolution No. 218-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher - 6.

Absent: Supervisors Gonzalez, Hsieh, Migden, Shelley, Ward - 5.

From the Clerk

Adopted

[New Condominium Project]

Motion approving final map of 506 Fell Street - 511 Linden Street, being a resubdivision of Lot 33 in Assessor's Block 819; and adopting findings pursuant to City Planning Code Section 101.1.

File 58-91-9

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher - 6.

Absent: Supervisors Gonzalez, Hsieh, Migden, Shelley, Ward - 5.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public hearing]

Hearing of appeal from the decision of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), denying the application of the Cinco de Mayo Healthy High Five for the temporary closing of portions of various streets from Mission Dolores Park to the Civic Center Plaza on Saturday, May 4, 1991, from 7:00 a.m. to 11:00 a.m., for the skateboard-rollerskate-rollerblade phase of the Cinco de Mayo Healthy High Five race.

Monday, March 11, 1991

File 42-91-6

The privilege of the floor was granted to the following persons:

Katie Reeve;  
President, Mission Economic Cultural Association;  
Gordon Hansen; representing Department of Parking and  
Traffic.

From the Clerk

Adopted as Amended

[Street Closing]

Resolution authorizing temporary closing of portions of various streets from Mission Dolores Park to the Civic Center Plaza, for the skateboard-rollerskate-rollerblade phase of the Cinco de Mayo Healthy High Five race; and providing for insurance.

File 42-91-6, Resolution No. 223-91

(19th Street, between Dolores and Valencia Streets;  
Valencia Street (right hand lane), between 19th and 26th  
Streets;  
26th Street, between Valencia and Bryant Streets;  
Bryant Street, between 17th and 26th Streets;  
17th Street, between Bryant and Potrero Streets;  
Potrero Street, between Brannan and 9th Streets; and  
9th Street (two right hand lanes), between Brannan and  
Grove Streets.)

Supervisor Britt, seconded by Supervisor Alioto, moved to amend page one, line 26, by changing "8:00" to "7:00" and to amend page one, between lines 14 and 15, by inserting "WHEREAS, The rollerskating-skateboarding-running-walking races event will require all participants to wear protective headgear, shinguards and other safety equipment; and".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

The roll was called on the pending resolution and it was adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden - 7.

Absent: Supervisors Gonzalez, Hsieh, Shelley, Ward - 4.

Monday, March 11, 1991

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ace Washington.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or by a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolution. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[State Legislation]

Resolution endorsing the California Coastal Sanctuary Act of 1991, AB 854. (Supervisor Alioto)

File 12-91-6, Resolution No. 214-91

(March 4, 1991 - Introduced in Board for consideration  
on March 11, 1991.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Migden - 6.

Absent: Supervisors Gonzalez, Hsieh, Maher, Shelley, Ward - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

Monday, March 11, 1991

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-10, Resolution No. 215-91

(Ruth Astle, President, Rent Board, March 31 - April 5; Buck Bagot, President, Redevelopment Agency, February 21 - 24; Raymond Baxter, Director of Health, March 11 - 12 and 18 - 22; Susan Bierman, member, City Planning Commission, February 27 - March 13; Mary Burns, General Manager, Recreation and Park, March 22 - 27; Arnold Chin, member, Parking and Traffic Commission, March 12 - 22; Edward Chow, member, Health Commission, March 8 - 13; Thomas Elzey, General Manager, Public Utilities Commission, March 9 - 16; Robert Feldman, Executive Director, Board of Permit Appeals, April 11 - 17; Michael Huerta, Executive Director, Port, March 20 - 21; Claude Jarman, Jr., President, War Memorial Board of Trustees, February 26 - March 5; Julia Lopez, General Manager, Department of Social Services, March 6 - 8; Molly Martin, member, Commission on the Status of Women, March 24 - 31; Frances McAteer, member, Recreation and Park Commission, March 13 - 22; Patrick Murphy, member, Airports Commission, March 1 - 2; Trent Orr, member, Recreation and Park Commission, April 9 - 24; Frederick Postel, Chief of Fire Department, May 24 - 30; Juan Rios, member, Civil Service Commission, February 22 - 27; L.A. Turpen, Director of Airports, March 9 - 13, 1991.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Beale Street, for the filming of a motion picture by Warner Brothers. (Supervisor Ward)

File 42-91-7, Resolution No. 213-91

(Beale Street, between Mission and Folsom Streets, Saturday, March 16, 1991 through Sunday, March 24, 1991, from 6:30 p.m. to 6:30 a.m. each day.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Claude Lane, for the First Annual "Fete du Printemps" (First Day of Spring block party). (Supervisor Alioto)

File 42-91-8, Resolution No. 217-91

(Claude Lane, between Sutter and Bush Streets, Saturday, March 16, 1991, from 7:00 p.m. to 2:00 a.m.)

Adopted.

Monday, March 11, 1991

(The Immediate Adoption Calendar includes the following additional resolution submitted after preparation of the Calendar.)

[State Legislation]

Resolution urging passage of Assembly Bill 367 which would extend unemployment compensation benefits for qualified individuals who have been laid off from work or otherwise unemployed as a direct result of freezing weather which occurred from December 15, 1990 to January 2, 1991.

File 12-91-7, Resolution No. 216-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Migden - 6.

Absent: Supervisors Gonzalez, Hsieh, Maher, Shelley, Ward - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Human Rights Commission Advisory Committee]

Ordinance amending Administrative Code by amending Section 12A.6 to find that the inclusion on the Advisory Council on Human Rights and Advisory Committees created by the Human Rights Commission of owners, officers, and employees of women, minority and local business enterprises promotes the purpose of human rights activities and to find that such owners, officers and employees are tantamount to the public generally and to delete the requirement that members of the Lesbian/Gay Advisory Committee be residents of San Francisco. (Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee.

File 97-91-20

[State Legislation]

Resolution supporting AB 7 (Floyd) and urging the State Legislature to pass this measure requiring all California motorcyclists to wear approved safety helmets. (Supervisor Alioto presented.) Referred to Economic and Social Policy Committee.

File 12-91-8



Monday, March 11, 1991

[Sanctuary]

Resolution rescinding Resolution 63-91 declaring the City and County to be a sanctuary for all persons who for moral, ethical or religious reason cannot participate in war. (Supervisor Maher presented.) Referred to Economic and Social Policy Committee with request it be considered at a special meeting on March 25, 1991.

File 43-91-1.1

[Nonprofit Performing Arts Loan Program]

Resolution approving rules and regulations as amended for administration of the Nonprofit Performing Arts Loan Program. (Supervisor Kennedy presented.) Referred to Finance Committee.

File 197-91-2

Requests for Hearings

File 7-91-2, By Supervisors Maher, Kennedy, Ward: To consider extending a light rail system along the Third Street Corridor at the same time Muni expands its service to Mission Bay. Referred to City Services Committee.

File 12-91-9, By Supervisor Alioto: To consider the issue of potential diversion of federal funds from statewide treatment programs to drug education programs and its impact on San Francisco's treatment programs. Referred to City Services Committee with request it be considered at the March 19, 1991 meeting.

File 97-91-16.1, By Supervisor Migden: To consider city-wide policy concerning inclusion of indirect costs in grant applications. Referred to Finance Committee.

File 100-91-3, By Supervisor Gonzalez: To consider the status of projected budget shortfall for the City and County for fiscal year 1991-92. Referred to Finance Committee with request it be considered at the March 13, 1991 meeting.

File 110-91-1, By Supervisor Maher: To consider establishing moratorium on nail shops along the Upper Fillmore commercial corridor. Referred to Economic and Social Policy Committee.

File 204-91-1, By Supervisor Alioto: To consider creation of a bill of rights for the disabled citizens of San Francisco. Referred to Economic and Social Policy Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that City Attorney verify Public Utilities Commissioner Welton Flynn's sale of his PG&E stock with concern for dates and whether it was a cash or full sale.

Monday, March 11, 1991

By Supervisor Hallinan, that letter of inquiry be sent to District Attorney to determine whether he still intends to prosecute war protestors in light of budget problems, federal government dropping charges and everyone's desire to put this war behind us.

By Supervisor Kennedy, that City Attorney prepare various legislation based upon the recommendations of the Budget Analyst as enumerated in his letter dated March 11, 1991, pertaining to his report entitled, "Management Audit of the Purchasing and Storekeeping Functions as Administered by the Purchasing Department", in which copy of the report has been sent to the City Attorney.

By Supervisor Kennedy, that letter be sent to City Attorney concerning expenditures of reserve funds of the Economic Opportunity Council, Inc. and to request opinion on whether proposal that \$200,000 be placed in a pension plan this year and next, without any contributions from the employees, would be considered giving away public funds.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Gertrude Armstrong (Supervisors Ward, Kennedy)

File 2-91-10

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 4:20 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.



Monday, March 11, 1991

Approved by the Board of Supervisors on December 19, 1991

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors







1891  
2 Vol. 86

No. 11

Monday, March 18, 1991

# Journal of Proceedings Board of Supervisors

City and County of San Francisco

DOCUMENTS SECTION

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, March 18, 1991 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Doris M. Ward, the meeting was called to order at 2:01 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Migden - 6.

Noted absent at first roll call:

Supervisors Gonzalez, Kennedy, Maher, Shelley, Ward - 5.

Quorum present.

Supervisor Gonzalez was noted present at 2:01 p.m.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Maher was noted present at 2:04 p.m.

Supervisor Shelley was noted present at 2:03 p.m.

Supervisor Ward excused, on official leave of absence.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Britt, seconded by Supervisor Migden, moved that Supervisor Alioto be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden - 7.

Absent: Supervisors Kennedy, Maher, Shelley, Ward - 4.

Monday, March 18, 1991

Supervisor Alioto thereupon assumed the Chair.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Achtenberg, seconded by Supervisor Hsieh, moved that the Journal of Proceedings for Monday, August 27, 1990 be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden, Shelley - 8.

Absent: Supervisors Kennedy, Maher, Ward - 3.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$2,568,280, Fire Department, for judgement and claims (attorneys' fees), for fiscal year 1990-91; placing \$2,568,280 on reserve. (Controller)

File 101-90-64, Ordinance No. 106-91

Finally passed.

[Government Funding]

Ordinance appropriating \$1,035,170, Fire Department, for judgement and claims (attorneys' fees), for fiscal year 1990-91. (Controller)

File 101-90-65, Ordinance No. 101-91

Finally passed.

[Government Funding]

Ordinance appropriating \$44,910, Public Health - DMSE, for permanent salaries-miscellaneous and nurses, mandatory fringe benefits, equipment purchase and data/word processing equipment and rescinding \$639 from permanent salaries-nurses, for the creation of eight positions and deletion of four positions, for fiscal year 1990-91. (Controller)

File 101-90-66, Ordinance No. 109-91

Finally passed.



Monday, March 18, 1991

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Department of Public Health, Community Mental Health, reflecting the addition of eight positions and the deletion of four positions; companion measure to File 101-90-66. (Civil Service Commission)

File 102-90-11, Ordinance No. 110-91

Finally passed.

[Government Funding]

Ordinance appropriating \$70,000, Public Administrator, for permanent salaries, temporary salaries, mandatory fringe benefits, other contractual services, travel, other current services and materials and supplies, for the creation of two positions (Day Laborer Pilot Project). (Supervisor Gonzalez)

File 101-90-74, Ordinance No. 107-91

Finally passed.

[Public Employment]

Ordinance amending Ordinance No. 288-90 (Annual Salary Ordinance) reflecting the addition of two positions in the Public Administrator/Public Guardian office; companion measure to File 101-90-74. (Supervisor Gonzalez)

File 102-90-16, Ordinance No. 108-91

Finally passed.

[Fingerprint Identification Fund]

Ordinance amending Administrative Code, creating a special fund for the San Francisco's Fingerprint Identification System by placing in a special fund the proceeds of a surcharge of fifty cents (\$.50) for every ten dollars (\$10) collected for certain fines, penalties, and forfeitures imposed and collected by the courts for criminal offenses. (City Attorney on behalf of Police Commission)

File 97-91-10, Ordinance No. 104-91

(Adds Section 10.117-108.)

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$20,000, Public Health, for other contractual services (augmentation for chronic fatigue immune dysfunction syndrome services), for fiscal year 1990-91. (Controller)

Monday, March 18, 1991

File 101-90-71, Ordinance No.

Passed for second reading.

Adopted

[Contracting Out City Services]

Resolution approving the Controller's certification that County Jail food service management operation for the City and County can practically be performed by private contraction at a lower cost for the year commencing July 1, 1991 than if work were performed by City and County employees. (Sheriff)

File 25-91-3, Resolution No. 237-91

Adopted.

[Contracting Out City Services]

Resolution approving the Controller's certification that the Pretrial Diversion Program for the City and County can practically be performed by private contraction at a lower cost for the year commencing July 1, 1991 than if work were performed by City and County employees. (Sheriff)

File 25-91-4, Resolution No. 238-91

Adopted.

[Contracting Out City Services]

Resolution approving the Controller's certification that the Eviction Assistance Program for the City and County can practically be performed by private contraction at a lower cost for the year commencing July 1, 1991 than if work were performed by City and County employees. (Sheriff)

File 25-91-5, Resolution No. 239-91

Adopted.

[Award of Negotiated Lease]

Resolution accepting Harry Leung as lessee of certain commercial space at Moscone Center Garage, by negotiated agreement. (Real Estate Department)

File 47-91-2, Resolution No. 231-91

Adopted.

Monday, March 18, 1991

Recommendation of City Services Committee

Finally Passed

[Street Acceptance]

Ordinance accepting roadways, including curbs, of eleven blocks of California Street, a dedicated public right-of-way, from Third Avenue to Fourth Avenue, from Fifth Avenue to Twelfth Avenue, from Funston Avenue to Fourteenth Avenue, from Fifteenth Avenue to Sixteenth Avenue, and from Nineteenth Avenue to Twentieth Avenue. (Department of Public Works)

File 9-90-3, Ordinance No. 103-91

Finally passed.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Bonita Sebastian Trumbule against the City and County by payment of \$12,000. (City Attorney)

File 45-91-9, Ordinance No.

(Municipal Court No. 044-527.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Leola Gardner against the City and County by payment of \$60,000. (City Attorney)

File 45-91-10, Ordinance No.

(Superior Court No. 833-652.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Robert and Danita Sorenson against the City and County by payment of \$7,000. (City Attorney)

File 45-91-11, Ordinance No.

(Superior Court No. 914-775.)

Passed for second reading.

Monday, March 18, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Ricky Odoms, et al. against the City and County by payment of \$25,000. (City Attorney)

File 45-91-12, Ordinance No.

(Superior Court No. 893-313.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Ernest East v. Flyer Industries, Bostrom Seating, Inc., et al., upon receipt of the sum of \$2,000; and dismissal of complaint. (City Attorney)

File 46-91-5, Ordinance No.

(Superior Court No. 857-890.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Paul Bellazain v. Armored Transport of California, Inc., et al., upon receipt of the sum of \$2,400; and release or transfer of lien. (City Attorney)

File 46-91-6, Ordinance No.

(Superior Court No. 854-250.)

Passed for second reading.

Adopted

[State Disability Insurance]

Resolution authorizing enrollment of classifications A922 Electronic Instrumentation Assistant Supervisor and 2403 Forensic Laboratory Technician in the State Disability Insurance Program. (Employee Relations Division)

File 89-91-4, Resolution No. 241-91

Adopted.

Recommendations of Economic and Social Policy Committee

Adopted

Monday, March 18, 1991

[Taxicab Stand]

Resolution rescinding location of taxicab stand on 21st Avenue.  
(Economic and Social Policy Committee)

File 15-91-2, Resolution No. 233-91

(Taxicab - Rescind

21st Avenue, east side, from 6 to 13 feet of Irving Street  
(Space #1304, angled parking).)

Adopted.

[Stop Intersections]

Resolution designating certain intersections as "Stop"  
intersections, various streets. (Economic and Social Policy  
Committee)

File 18-91-2, Resolution No. 234-91

(Stop Signs - Establish

Lakeview Avenue and Lee Avenue, all corners (makes this an  
all-way Stop);

Wool Street and Eugenia Street, southeast and northwest corners,  
stopping Wool Street traffic.)

Adopted.

[Parking Regulations]

Resolution enacting and rescinding parking regulations, various  
streets. (Economic and Social Policy Committee)

File 19-91-2, Resolution No. 235-91

(Parking Meter Area "2" - Extend

Folsom Street, south side, Fremont Street to 60 feet east of  
Zeno Place (150-foot extension).

Harrison Street, between Spear and Steuart Streets.

Spear Street, between Harrison and Folsom Streets.

Parking Meter Area "3" - Extend (One Hour Limit)

Persia Street, south side, between Mission and London Streets.

Tow-Away, No Parking Anytime - Establish

Elwood Street, both sides, between Mason and O'Farrell Streets.

Bryant Street (frontage road), south side, from Beale Street to  
210 feet west and from First (Delancey) Street to 83 feet north.

Bryant Street (frontage road), north side, from Beale Street to  
73 feet west, from 281 to 382 feet west of Beale Street  
(101-foot zone), from 403 to 428 feet west of Beale Street

Monday, March 18, 1991

(25-foot zone), and from First (Delancey) Street to the west end of the First (Delancey) parking bay east of First Street (Delancey).

No Parking Anytime - Establish

Jessie Street, north side, from Seventh Street, west to the end.

No Parking Anytime - Rescind

Jessie Street, south side, from Seventh Street, west to the end.)

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations, various streets. (Economic and Social Policy Committee)

File 20-91-4, Resolution No. 236-91

(Right Lane Must Turn Right - Establish

Irving Street, westbound, at 19th Avenue.

Tow-Away, No Stopping Anytime - Establish

17th Street, south side, between Castro and Hartford Streets.

One-Way Street - Rescind

Jessie Street, west of Seventh Street.

Bryant Street, eastbound (frontage road), from Beale Street to 235 feet west;

Bryant Street, eastbound (frontage road), from First (Delancey) Street to 50 feet north (a point 628 feet west of Beale Street on the north east side of the western-most driveway).

One-Way Street - Establish

Bryant Street, east bound (frontage road), from 638 to 235 feet west of Beale Street.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Monday, March 18, 1991

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$400,000, Municipal Railway, for services of other departments - Police Security, for fiscal year 1990-91.  
(Controller)

File 101-90-67, Ordinance No. 105-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Government Funding]

Ordinance appropriating \$2,471,362, Public Health, for permanent salaries - miscellaneous, related mandatory fringe benefits, medical service contracts, materials and supplies and programmatic expenditures, for the creation of five positions for fiscal year 1990-91; subject of previous budgetary denial; placing on reserve \$150,000 for equipment-AIDS Administrative Office, \$131,191 for AIDS-HCSS Contract Office and \$485,584 for AIDS-HCSS MIS; pending EIPSC approval; providing for ratification of action previously taken. (Supervisors Gonzalez, Britt)

File 101-90-68, Ordinance No. 111-91

(Requires 8 votes for passage, pursuant to Charter Section 6.306.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Department of Public Health, Central Office, reflecting the addition of five positions (Classifications 2246 Assistant Director of Clinical Services, 2802 Epidemiologist I, 2230 Physician Specialist, 2908 Hospital Eligibility Worker, 2338 Nurse Practitioner); companion measure to File 101-90-68. (Civil Service Commission)

File 102-90-13, Ordinance No. 112-91

Finally passed by the following vote:



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Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Recommendation of Economic and Social Policy Committee

Finally Passed

[Rent Ordinance]

Ordinance amending Administrative Code, to permit landlords to pass through to tenants fifty percent of the penalties for exceeding water allotment; providing for notification to landlords through the Water Department's bill insert program. (Supervisors Kennedy, Migden)

File 109-88-3, Ordinance No. 102-91

(Amends Sections 37.3 and 37.8.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Maher, Migden, Shelley - 7.

Noes: Supervisors Britt, Hsieh - 2.

Absent: Supervisors Kennedy, Ward - 2.

From Public Utilities Commission

Adopted

[Delinquent Transit Impact Fee]

Resolution confirming report of delinquent payment of fees submitted by the General Manager of the Public Utilities Commission for collection of the Transit Impact Development Fee (TIDF) from 51 Federal Street, pursuant to the provisions of Section 38.11 of the Administrative Code, and creating special assessment and lien based thereon.

File 159-91-1, Resolution No. 246-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

NEW BUSINESS



Monday, March 18, 1991

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$12,348, Tax Collector, for travel; subject of previous budgetary denial. (Controller)

File 101-90-70, Ordinance No.

(Requires 8 votes for passage, pursuant to Charter Section 6.306.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Government Funding]

Ordinance appropriating \$66,155, District Attorney - Family Support Bureau, for permanent salaries, mandatory fringe benefits, professional services Prop J/CSC, training and fixed charges and rescinding permanent salaries and mandatory fringe benefits, for the creation of one position, for fiscal year 1990-91. (Controller)

File 101-90-73, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, District Attorney's Office, reflecting the addition of one position (Classification 8159, Family Investigator III); companion measure to File 101-90-73. (Civil Service Commission)

File 102-90-12, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Monday, March 18, 1991

[Lease Modification]

Ordinance confirming the approval of the first supplemental agreement in modification of lease to the present 10 year lease with option to extend the term for an additional ten (10) year period for purpose of parking and landscaping by and between City and County of San Francisco, Lessor, and No. 1 NB Partners, Lessee, on San Francisco Water Department land located in Santa Clara County. (Public Utilities Commission)

File 65-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Official Memberships]

Ordinance amending Administrative code, to add fourteen organizations to the membership list of the Department of Public Works. (Department of Public Works)

File 97-91-9, Ordinance No.

(Amends Section 16.6-9.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Professional Membership]

Ordinance amending Administrative Code, to authorize the Department of Animal Care and Control to join certain organizations. (Animal Care and Control Department)

File 97-91-13, Ordinance No.

(Adds Section 16.6-60.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Monday, March 18, 1991

Adopted

[Property Acquisition - Noise Easements]  
Resolution authorizing the acquisition of four additional noise easements in the City of South San Francisco comprising the Phase V Program. (Airports Commission)

File 82-91-1, Resolution No. 240-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Grant - Federal Funds]  
Resolution authorizing the Director of Public Works to apply for, accept and expend \$1,100,000 in Federal Funds for the pavement renovation of Balboa Street between Arguello Boulevard and Great Highway; placing \$1,038,400 on reserve. (Department of Public Works)

File 148-91-5, Resolution No. 230-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Recommendations of Administration and Oversight Committee

Adopted

[Appointments]  
Resolution appointing members to the Veterans Affairs Council, for the four-year terms ending January 31, 1995. (Administration and Oversight Committee)

File 92-90-40, Resolution No. 244-91

(Lino E. Zamacona, Category 7, vice himself, term expired; Sarah Davis, female, vice Winifred Matia, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Monday, March 18, 1991

[Appointments]

Resolution appointing member to the California Council on Partnerships, indefinite term. (Administration and Oversight Committee)

File 92-90-57, Resolution No. 245-91

(Madge Gates, private sector.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Appointment]

Resolution confirming and approving Mayor's appointment of Edward M. Harrington to position of Controller, for a ten-year term to expire in 2001, vice Samuel D. Yockey, resigned. (Mayor)

File 33-91-3, Resolution No. 228-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Appointment]

Resolution appointing member to the Advisory Council to the Commission on the Aging, for two-year term ending March 31, 1993. (Administration and Oversight Committee)

File 92-91-2.1, Resolution No. 242-91

(Mary O'Connor, vice herself, term expiring March 31, 1991.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Appointment]

Resolution appointing alternate member to the Association of Bay Area Governments Executive Board, for the unexpired portion of the two-year term ending June 30, 1991. (Administration and Oversight Committee)

Monday, March 18, 1991

File 92-91-5, Resolution No. 243-91

(Supervisor Carole Migden, alternate, vice Supervisor Harry G. Britt, resigned.)

Supervisor Migden Excused From Voting

Supervisor Migden requested to be excused from voting.

Thereupon, Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to excuse Supervisor Migden from voting.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

The roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Shelley - 8.

Excused: Supervisor Migden - 1.

Absent: Supervisors Kennedy, Ward - 2.

[Salary Standardization]

Motion extending to and including April 22, 1991, the date for passage for second reading, and extending to and including April 29, 1991, the date for the final adoption of the Salary Standardization Ordinance for persons employed by the City and County, the Community College District and the Unified School District whose compensations are subject to provisions of Sections 8.400, 8.401 and 8.407 of the City Charter.

File 106-91-2

Supervisor Hallinan presented for immediate adoption.

Supervisor Hallinan, seconded by Supervisor Maher, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Monday, March 18, 1991

From Administration and Oversight Committee  
Without Recommendation

Consideration Continued

[Annual Salary Standardization Ordinance]

Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1991. (Civil Service Commission)

File 106-91-1, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Maher, moved to continue consideration to April 15, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Adopted

[Salary Standardization]

Motion directing the Budget Analyst to conduct an independent review of the data collected by the Civil Service Commission which formulated the basis of the total estimated cost of the Salary Standardization Ordinance for fiscal year 1991-92.

File 106-91-3

Supervisor Hsieh presented for immediate adoption.

Supervisor Hsieh, seconded by Supervisor Maher, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Recommendations of Economic and Social Policy Committee

Passed for Second Reading as Amended

Monday, March 18, 1991

[Rent Ordinance]

Ordinance amending Administrative Code, to delete the separate requirement that tenants be notified of what portion of rent increase reflects any banked increase from prior years, to establish a mandatory time limit for the filing of certain tenant petitions, to establish a mandatory time limit for appeals, with good cause exception, to establish a statute of limitations for judicial review, and to permit landlords and tenants to challenge rent payment, refund, offsetting or adding prior to their taking effect, and to correct clerical errors. (Supervisor Britt)

File 109-90-3, Ordinance No.

(Amends Sections 37.3 and 37.8.)

Supervisor Hallinan, seconded by Supervisor Achtenberg, moved to amend to conform this legislation to amendments adopted under File 109-88-3 concerning excess water allotment pass through and that City Attorney be requested to prepare the legislation.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Adopted as Amended

[Cultural Affairs Task Force]

Resolution establishing a Cultural Affairs Task Force to make recommendations to the Board of Supervisors on the means by which the City and County can enhance the public process, and improve the economic health and vitality of its diverse cultural life. (Supervisors Hallinan, Gonzalez, Ward)

File 197-90-2.1, Resolution No. 229-91

Supervisor Hallinan, seconded by Supervisor Gonzalez, moved an amendment of the whole bearing same title.

Supervisor Gonzalez, suggested adding one member who shall represent the private industry. With approval of Supervisor Hallinan, and without objection, that provision was added to the pending amendment of the whole.

Motion to amend adopted by the following vote:



Monday, March 18, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

Supervisor Hsieh, seconded by Supervisor Gonzalez, moved to amend page two, line two by adding "Tom Hsieh" after "Doris Ward".

Supervisor Hallinan, seconded by Supervisor Achtenberg, moved substitute amendment to amend page two, line two by adding "Tom Hsieh" and "Angela Alioto" and to delete "One Supervisor to be named by the President of the Board of Supervisors".

Substitute amendment adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

The roll was then called on the resolution as amended and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Migden, Shelley - 7.

Noes: Supervisor Maher - 1.

Absent: Supervisors Britt, Kennedy, Ward - 3.

The President reassumed the Chair.

From Economic and Social Policy Committee Without Recommendation

Refused Adoption

[Traffic Regulation]  
Resolution rescinding traffic regulations on Laguna Street.  
(Economic and Social Policy Committee)

File 20-91-4.1, Resolution No.

(One-Way Street - Rescind  
Laguna Street, northbound, between Oak and Page Streets.)

Refused adoption by the following vote:

Ayes: Supervisor Hsieh - 1.

Noes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley - 7.



Monday, March 18, 1991

Absent: Supervisors Kennedy, Maher, Ward - 3.

From the Department of Public Works

Adopted

[New Condominium Project]

Motion approving final map of Westwood Condominiums, also known as 2075 Sutter Street, a condominium project, being a resubdivision of Lots 22 through 28 in Assessor's Block 683; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-10

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Condominium Conversion Project]

Motion approving final map of 1257 Chestnut Street, a condominium project, being a resubdivision of Lot 1E in Assessor's Block 499; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-11

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Condominium Conversion Project]

Motion approving final map of 1650 Jackson Street, a condominium, being a resubdivision of Lot 15 in Assessor's Block 595; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-12

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Monday, March 18, 1991

Recess

At the request of President Pro Tempore Angela Alioto, the Board recessed at the hour of 3:21 p.m. to convene in closed session pursuant to Government Code Section 54957.6 for the purpose of reviewing and instructing the City's designated employee relations representatives regarding salaries and fringe benefits for City employees.

Reconvening of the Board

The Board, at the hour of 4:30 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Shelley - 6.

Noted absent:

Supervisors Gonzalez, Hsieh, Kennedy, Maher, Ward - 5.

Quorum present.

Supervisor Gonzalez was noted present at 4:32 p.m.

Supervisor Hsieh was noted present at 4:32 p.m.

Supervisor Kennedy was excused. (See supra.)

Supervisor Ward was excused. (See supra.)

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City's employee relations representatives as provided in the Government Code.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Ace Washington.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after

Monday, March 18, 1991

the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-11, Resolution No. 232-91

(Mayor Art Agnos, March 15 - 16; Angela Alioto, member, Board of Supervisors, March 21 - 24; Tom Hsieh, member, Board of Supervisors, March 23 - 24; Peter Ashe, member, Retirement Board, March 14 - 17 and April 4 - 5; Alan Becker, member, War Memorial Board of Trustees, March 13 - 14; Henry Berman, member, Fire Commission, April 7 - 12; Sherri Chiesa, member, Public Utilities Commission, March 25 - 29; August Coppola, member, Film and Video Arts Commission, March 27 - April 7; Cleo Donovan, member, Civil Service Commission, March 8 - 9; Doug Engmann, member, City Planning Commission, March 28 - April 6; Anne Halsted, member, Port, March 30 - April 6; Michael Huerta, Executive Director, Port, April 8 - 9; Haig Mardikian, member, Redevelopment Agency, April 1 - 7; Paul Rosenstiel, member, Health Commission, March 11 - 14; Arthur Toupin, member, Public Utilities Commission, March 12 - 19; L.A. Turpen, Director, Airport, March 25 - April 2; Douglas Wong, member, Port, April 8 - 9, 1991.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Migden, Shelley - 6.

Absent: Supervisors Britt, Gonzalez, Kennedy, Maher, Ward - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Special Use District]

Ordinance amending City Planning Code by adding Section 249.11 to create an Affordable Housing Special Use District at Cohen Place and Ellis Street and finding consistency with Planning Code Section 101.1. (Supervisor Ward presented.) Referred to Economic and Social Policy Committee.

Monday, March 18, 1991

File 81-91-1

[Proposition 98 - Education Funding]

Resolution opposing the suspension of Proposition 98 and urging the San Francisco Delegation to take necessary action to maintain the full implementation of Proposition 98 and find revenue sources for fair funding for health and other vital human services in the 1991-92 State budget. (Supervisors Achtenberg, Hallinan, Alioto presented.) Referred to Finance Committee.

File 12-91-10

[Interim Zoning Controls - Gasoline Station]

Resolution extending for an additional six months Interim Zoning Controls imposed making it unlawful to convert property on which a service station business is conducted to non-service station use. (Supervisor Hallinan presented.) Referred to Economic and Social Policy Committee.

File 111-91-1

[Replacing Central Freeway]

Resolution urging the California Department of Transportation to consider the demolition and replacement of the elevated portion of the Central Freeway rather than retrofit the freeway. (Supervisor Maher presented.) Referred to Economic and Social Policy Committee.

File 171-91-3

#### Requests for Hearings

File 101-90-10.2, By Supervisor Gonzalez: To consider releasing the earthquake safety bond funds in the amount of \$1,357,365 on reserve for the Asian Art Museum to commence the predesign study and design phases of seismic improvements to the existing main public library. Referred to Finance Committee with request it be considered at the March 27, 1991 meeting.

File 97-91-22, By Supervisor Maher: To consider eliminating the mayoral appointments to the Veterans Affairs Council. Referred to Administration and Oversight Committee.

File 115-91-5, By Supervisor Gonzalez: To consider ways to protect and preserve important architectural buildings in San Francisco. Referred to Economic and Social Policy Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

Monday, March 18, 1991

By Supervisor Alioto, that City Attorney prepare appropriate legislation to require installation of utility meters for each unit in new residential buildings and during major remodeling of existing residential buildings.

By Supervisor Hsieh, that letter be sent to Director of Health inquiring how services to the developmentally disabled are planned and coordinated since the elimination of the coordinator position in October, 1990.

By Supervisor Maher, that City Attorney prepare appropriate legislation which would eliminate the mayoral appointments to the Veterans Affairs Council.

By Supervisor Maher, that City Attorney prepare charter amendment which would compensate all City employees called to active duty which pays the employee full salary less military pay for up to 180 days.

By Supervisor Migden, that City Attorney prepare appropriate legislation which would amend the Building Code and other relevant codes to require the retrofit of all multi-family residential buildings and commercial and industrial accounts with water-saving devices within a three year period.

By Supervisor Migden, that City Attorney prepare appropriate legislation which would amend the Public Works Code and other relevant codes to require that all contractors use non-potable water for construction and demolition projects in San Francisco.

By Supervisor Migden, that City Attorney prepare appropriate legislation which would amend the Building Code and other relevant codes to require dual-plumbing in all newly constructed commercial buildings.

By Supervisor Migden, that City Attorney prepare appropriate legislation which would establish procedures to supplement the City's high pressure water delivery system with groundwater and/or reclaimed water as a means of citywide distribution for these water sources, while assuring that the system will have an adequate supply of water at all times for emergency firefighting services.

By Supervisor Migden, that City Attorney prepare appropriate legislation which would require all new construction of commercial and industrial buildings which use water for cooling purposes to install cooling towers for recycling water.

By Supervisor Migden, that City Attorney prepare appropriate legislation which would urge the Sheriff's Office to include water recycling systems in the jail master plan under development.

By Supervisor Migden, that City Attorney prepare appropriate legislation which would urge the Health Commission to urge the Director of Public Health to include water recycling systems in the master plan for Laguna Honda Hospital under development.

Monday, March 18, 1991

By Supervisor Migden, that City Attorney prepare appropriate legislation which would amend the Building Code and other relevant codes to require the retrofit of residential, commercial and industrial buildings with water-saving devices at the point of sale.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Sterling Weatherspoon (Supervisor Kennedy)  
Raymond J. Evans (Supervisor Kennedy)  
Hazel Gage (Supervisor Kennedy)

File 2-91-11

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:50 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, March 18, 1991

Approved by the Board of Supervisors on January 6, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors













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**Vol. 86**

**No. 12**

**Monday, March 25, 1991**

# **Journal of Proceedings Board of Supervisors**

**City and County of San Francisco**

ROOM

MAR 26 1991

PUBLIC WORKS



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, March 25, 1991 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:25 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Noted absent at first roll call:

Supervisor Maher - 1.

Quorum present.

Supervisor Maher was noted present at 2:42 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Achtenberg, seconded by Supervisor Hallinan, moved that the Journal of Proceedings for Monday, September 10, 1990 be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Monday, March 25, 1991

Finally Passed

[Government Funding]  
Ordinance appropriating \$20,000, Public Health, for other contractual services (Augmentation for Chronic Fatigue Immune Dysfunction Syndrome services), for fiscal year 1990-91.  
(Controller)

File 101-90-71, Ordinance No. 124-91

Finally passed.

[Government Funding]  
Ordinance appropriating \$66,155, District Attorney - Family Support Bureau, for permanent salaries, mandatory fringe benefits, professional services Prop J/CSC, training and fixed charges and rescinding permanent salaries and mandatory fringe benefits, for the creation of one position, for fiscal year 1990-91. (Controller)

File 101-90-73, Ordinance No. 125-91

Finally passed.

[Public Employment]  
Ordinance amending Annual Salary Ordinance, 1990-91, District Attorney's Office, reflecting the addition of one position (Classification 8159, Family Investigator III); companion measure to File 101-90-73. (Civil Service Commission)

File 102-90-12, Ordinance No. 126-91

Finally passed.

[Lease Modification]  
Ordinance confirming the approval of the first supplemental agreement in modification of lease to the present 10 year lease with option to extend the term for an additional ten (10) year period for purpose of parking and landscaping by and between City and County of San Francisco, Lessor, and No. 1 NB Partners, Lessee, on San Francisco Water Department land located in Santa Clara County.  
(Public Utilities Commission)

File 65-91-1, Ordinance No. 120-91

Finally passed.

[Official Memberships]  
Ordinance amending Administrative code, to add fourteen organizations to the membership list of the Department of Public Works. (Department of Public Works)



Monday, March 25, 1991

File 97-91-9, Ordinance No. 121-91

(Amends Section 16.6-9.)

Finally passed.

[Professional Membership]

Ordinance amending Administrative Code, to authorize the Department of Animal Care and Control to join certain organizations. (Animal Care and Control Department)

File 97-91-13, Ordinance No. 122-91

(Adds Section 16.6-60.)

Finally passed.

Adopted

[Lease of Real Property]

Resolution authorizing a new lease of real property at Bayview Plaza Shopping/Office Center, Third Street and Evans Avenue, Suite 600, San Francisco for the Department of Public Works' Clean Water Program. (Real Estate Department)

File 64-91-3, Resolution No. 247-91

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Bonita Sebastian Trumbule against the City and County by payment of \$12,000. (City Attorney)

File 45-91-9, Ordinance No. 114-91

(Municipal Court No. 044-527.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Leola Gardner against the City and County by payment of \$60,000. (City Attorney)

File 45-91-10, Ordinance No. 115-91

(Superior Court No. 833-652.)

Monday, March 25, 1991

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Robert and Danita Sorenson against the City and County by payment of \$7,000. (City Attorney)

File 45-91-11, Ordinance No. 116-91

(Superior Court No. 914-775.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Ricky Odoms, et al. against the City and County by payment of \$25,000. (City Attorney)

File 45-91-12, Ordinance No. 117-91

(Superior Court No. 893-313.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Ernest East v. Flyer Industries, Bostrom Seating, Inc., et al., upon receipt of the sum of \$2,000; and dismissal of complaint. (City Attorney)

File 46-91-5, Ordinance No. 118-91

(Superior Court No. 857-890.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Paul Bellazain v. Armored Transport of California, Inc., et al., upon receipt of the sum of \$2,400; and release or transfer of lien. (City Attorney)

File 46-91-6, Ordinance No. 119-91

(Superior Court No. 854-250.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Monday, March 25, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$14,000, Board of Supervisors, for other contractual services (Loma Prieta Earthquake Unmet Needs Action Plan); providing for ratification of action previously taken. (Controller)

File 101-90-58, Ordinance No. 113-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Government Funding]

Ordinance appropriating \$12,348, Tax Collector, for travel; subject of previous budgetary denial. (Controller)

File 101-90-70, Ordinance No. 191-91

(Requires 8 votes for passage, pursuant to Charter Section 6.306.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Recommendation of Economic and Social Policy Committee

Finally Passed

[Rent Ordinance]

Ordinance amending Administrative Code, to delete the separate requirement that tenants be notified of what portion of rent

Monday, March 25, 1991

increase reflects any banked increase from prior years, to establish a mandatory time limit for the filing of certain tenant petitions, to establish a mandatory time limit for appeals, with good cause exception, to establish a statute of limitations for judicial review, and to permit landlords and tenants to challenge rent payment, refund, offsetting or adding prior to their taking effect, and to correct clerical errors. (Supervisor Britt)

File 109-90-3, Ordinance No. 127-91

(Amends Sections 37.3 and 37.8.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

#### NEW BUSINESS

#### Recommendations of Finance Committee

#### Passed for Second Reading

[Government Funding]

Ordinance appropriating \$2,328,354, Public Works, for various capital improvement projects, for fiscal year 1990-91; placing \$1,060,775 on reserve. (Controller)

File 101-90-69, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Government Funding]

Ordinance appropriating \$2,003,725, Department of Public Health - DMSF, for permanent salaries-miscellaneous and nurses, related mandatory fringe benefits and medical service contract, for the creation of three positions, for fiscal year 1990-91, retroactive to July 1, 1990. (Controller)

File 101-90-75, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Monday, March 25, 1991

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Department of Public Health, Community Mental Health, Substance Abuse, reflecting the addition of three positions (Classifications 1823 Senior Administrative Analyst, 2305 Psychiatric Technician and 2320 Registered Nurse); companion measure to File 101-90-75. (Civil Service Commission)

File 102-90-18, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Government Funding]

Ordinance appropriating \$167,243, Municipal Railway, for capital improvement project (security improvements), for fiscal year 1990-91; placing \$167,243 on reserve. (Controller)

File 101-90-77, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Adopted

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty. (Finance Committee)

File 51-90-4, Resolution No. 253-91

REIMBURSEMENT FOR DAMAGED OR STOLEN PERSONAL PROPERTY OF CITY EMPLOYEE

<u>Department/ Claimant</u>	<u>Item</u>	<u>Amount Claimed</u>	<u>Amount Recommended</u>
ASSESSOR Eileen Sullivan	Vandalized automobile and stolen items, automobile window, household supplies, gym clothes, headset, tapes, cassette	822.88	56.40

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CITY ATTORNEY

Edward Alexander Klein	Stolen clothes	375.00	236.00
Leonard L. Snaider	Broken automobile window	75.00	75.00

HETCH HETCHY WATER AND POWER

Joe F. Poole	Broken eyeglasses	104.00	104.00
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JUVENILE PROBATION

Charles E. Lewis	Broken eyeglasses	130.00	87.00
Arnold Sword	Torn clothes	46.00	46.00
Barry A. Young	Broken watch	83.95	83.95
Barry A. Young	Broken eyeglasses	150.00	100.00
Kirk A. Edwards	Torn tennis shoes	60.00	60.00
Gregory A. Foote	Damaged shirt	10.00	10.00

MUNICIPAL RAILWAY

Tom Mullen	Stolen eyeglasses	139.95	139.95
Kathleen E. Forrester	Stolen eyeglasses, prescription sunglasses and driver's license	241.91	241.91

DEPARTMENT OF PARKING AND TRAFFIC

Steven Vannucchi	Stolen tools	810.00	650.00
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DEPARTMENT OF PUBLIC HEALTH

Joseph O'Sullivan	Damaged shirt	30.03	30.03
A. J. Holmes	Vandalized automobile	326.62	326.62
Deborah Lewinsohn	Stolen Welch Allyn Ophthalmoscope/ Otoscope	391.00	247.00
Jennifer Ching	Broken automobile window	58.71	58.71
James Yakas	Broken safety eyeglasses	75.00	20.00

RECREATION AND PARK DEPARTMENT

Jan Huang	Stolen sign language book	15.00	15.00
Christopher J. Hewett	Stolen shirt and Sony Walkman	160.00	26.66
Allison M. Davis	Stolen wallet and contents	75.00	30.00

REGISTRAR OF VOTERS

Susan Elder	Damaged automobile	97.17	97.17
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<u>TOTAL</u>	\$4,277.22	\$2,741.40
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Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Emergency Repair]

Resolution approving emergency expenditure for repair to Bay Division No. 4, an 84-inch water transmission main at Edgewood Road east of Cordilleras Road in the City of Redwood City. (Public Utilities Commission)

Monday, March 25, 1991

File 28-91-2, Resolution No. 251-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Acceptance of Gift]

Resolution accepting one gift valued at \$5,173.46 from the Friends of Recreation and Park, and acknowledging an unrestricted cash gift of \$5,099.82 given to the Friends of Recreation and Park by Margaret K. Cooper. (Recreation and Park Department)

File 38-91-2, Resolution No. 252-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Grant Extension]

Resolution authorizing the Department of City Planning to extend its current State of California, Secretary of Environmental Affairs Implementation Grant to March 31, 1992. (Department of City Planning)

File 134-91-2, Resolution No. 254-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Epidemiology Disease Control, Sexually Transmitted Disease Control, to accept and expend a grant of \$411,820, from the Center for Disease Control for the operation of the San Francisco Sexually Transmitted Disease Prevention and Training Center; placing \$2,200 on reserve. (Mayor)

File 146-91-22, Resolution No. 255-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.



Monday, March 25, 1991

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Central Administration, Management Information Systems, to accept and expend an augmentation to a grant from the State Department of Health Services in the amount of \$14,095 for an automated Medically Indigent Care Reporting System (MICRS) for the City of San Francisco. (Mayor)

File 146-91-23, Resolution No. 256-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Bureau of Toxics, Health and Safety Services, to apply for a grant of \$318,750 from the State Water Resources Control Board, Division of Clean Water Programs for local oversight of cleanup activities at leaking underground storage tank sites funded by the grant. (Mayor)

File 146-91-24, Resolution No. 257-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to apply for a grant of \$94,772 from the State Department of Health Services, for the continuation of immunization services. (Mayor)

File 146-91-25, Resolution No. 258-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Grant - Federal Funds]

Resolution authorizing the City Librarian to apply retroactively for funds available from the United States Department of Education for Project Read Outreach Program. (Public Library Commission)



Monday, March 25, 1991

File 147-91-1, Resolution No. 259-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Grant - Federal Funds]

Resolution authorizing the City Librarian to apply retroactively for funds available from the United States Department of Education for Project Read Outreach Program. (Public Library Commission)

File 147-91-2, Resolution No. 260-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Grant - State Funds]

Resolution authorizing the Sheriff's Department, Adult Probation Department and Juvenile Probation Department of the City and County to apply for retroactively, accept and expend \$39,906 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections and Probation Officers Program; stipulating adherence to standards of recruitment and training established by the Board of Corrections. (Sheriff)

File 152-91-1, Resolution No. 261-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Federal Funding]

Resolution approving a revised Refugee County Plan for San Francisco and authorizing the President of the Private Industry Council of San Francisco, Inc., to sign, enter into, and execute a contract with the State based on that plan, retroactive to January 1, 1991. (Private Industry Council)

File 156-91-1, Resolution No. 262-91

Adopted by the following vote:

Monday, March 25, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Grant - San Francisco Foundation]

Resolution authorizing the Film and Video Arts Commission to apply for a grant from the San Francisco Foundation of \$15,000 in order to plan, design, produce and distribute a brochure specifically targeting local residents and merchants within the City of San Francisco explaining the importance of film production to the economic and cultural well being of the City. (Film and Video Arts Commission)

File 184-91-1, Resolution No. 264-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Recommendations of City Services Committee

Passed for Second Reading

[Medical Transport Vehicles]

Ordinance amending Health Code, to prohibit ambulance operations by any provider not authorized under San Francisco's Emergency Medical Services Plan. (Department of Public Health)

File 118-91-1, Ordinance No.

(Adds Section 905.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Licensing for Animals Used in Business]

Ordinance amending Part III, Municipal Code, to provide correct citation to the Health Code. (Animal Care and Control Department)

File 127-91-3, Ordinance No.

(Amends Section 221.2.)

Passed for second reading by the following vote:

Monday, March 25, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13004, dated January 31, 1991, approving a Conditional Use Application No. 90.405EC, authorizing a density bonus under California State Law to allow construction of as many as 18 affordable residential units with an exception to rear yard requirements on a lot containing 9500 square feet of area in an RM-2 (Mixed Residential, Moderate Density) District and the proposed Sixteenth and Church Streets Affordable Housing Special Use District with a 40-X Height and Bulk Designation of property located at 3400 16th Street, northwest corner of Church Street, Lots 8 and 9 in Assessor's Block 3558.

File 37-91-1

(Appeal filed March 1, 1991.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Terry Ward;  
Christina Mowitz.

The Clerk of the Board stated that if the appellant's argument is that notice was inadequate, not arguing that there was inadequacy, then it could be appropriate for the Board to continue this matter and ensure that proper notice is given.

In response to Supervisor Achtenberg's inquiry, Deputy City Attorney Ted Lakey indicated a two-week continuance would cure the alleged deficiency of notice and the parties can proceed on the merits of the issue at that time.

The appellant was requested to submit the names of property owners who were not notified and any one else they would like to receive notification.

Monday, March 25, 1991

Supervisor Achtenberg, seconded by Supervisor Hsieh, moved to continue consideration to April 8, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

From the Clerk

Consideration Continued

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13004, dated January 31, 1991, approving Application No. 90.405EC, for Conditional Use of property at 3400 16th Street, northwest corner of Church Street.

File 37-91-1.1

Supervisor Achtenberg, seconded by Supervisor Hsieh, moved to continue consideration to April 8, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13004, dated January 31, 1991, approving Application No. 90.405EC, for Conditional Use of property at 3400 16th Street, northwest corner of Church Street.

File 37-91-1.2

Supervisor Achtenberg, seconded by Supervisor Hsieh, moved to continue consideration to April 8, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

Monday, March 25, 1991

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use of property at 3400 16th Street, northwest corner of Church Street.

File 37-91-1.3

Supervisor Achtenberg, seconded by Supervisor Hsieh, moved to continue consideration to April 8, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]

Hearing of persons interested in the report submitted by the General Manager of Public Utilities - the Transit Impact Development Fee Cost Validation for fiscal year 1987/88, and the report of the Department of City Planning estimating the number of peak-period person-trips generated per gross square foot of office use.

File 159-91-2

The President inquired if there was anyone present who wished to speak.

There being no response, the President declared the hearing closed.

From the Public Utilities Commission

Adopted

[Transit Impact Development Fee Schedule]

Resolution establishing the Transit Impact Development Fee Schedule for fiscal year 1987-88 at \$5.00 per square foot of office use in new development.

File 159-91-2, Resolution No. 263-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

Monday, March 25, 1991

The President reassumed the Chair.

COMMITTEE REPORTS

Recommendation of Economic and Social Policy Committee

Adopted

(See Journal of Proceedings of April 1, 1991  
for Disapproval by Mayor.)

(Supervisor Kennedy dissenting in Committee.)

[Veterans, Persian Gulf War; Reaffirm Sanctuary]  
Resolution welcoming home our troops returning from the Persian Gulf War; urging the Federal and State Governments to work to provide fair and equal opportunities to veterans for jobs, education and health care, and to reintegrate the returning personnel into our society; reaffirming Resolution No. 63-91, which declared San Francisco a sanctuary for all persons who for moral, ethical or religious reasons could not participate in war. (Supervisor Britt).

File 43-91-5, Resolution No.

Supervisor Kennedy presented as a recommendation of Committee.

Supervisor Kennedy, seconded by Supervisor Maher, moved to amend page two, line 16 by adding the following two resolved clauses:

"Further Resolved, That the Board of Supervisors hereby urges his Honor, the Mayor, along with the Chief of Protocol, to work with public and private groups in planning a fitting welcome home to honor the returning American soldiers and reservists; and be it"

"Further Resolved, That the Board of Supervisors determines that as a result of the cessation of hostilities in the Middle East this resolution shall hereafter supersede the resolution granting sanctuary."

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher, Ward - 5.

Noes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Shelley - 6.

Supervisor Maher, seconded by Supervisor Hsieh, moved an amendment of the whole entitled, "Resolution rescinding Resolution 63-91 declaring the City and County to be a sanctuary for all persons who for moral, ethical or religious reason, cannot participate in war." (copy of which is contained in File 43-91-1.1).

Monday, March 25, 1991

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher - 4.

Noes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Shelley, Ward - 7.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Shelley, Ward - 7.

Noes: Supervisors Gonzalez, Hsieh, Kennedy, Maher - 4.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ace Washington.

#### IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

#### Severed from Immediate Adoption Calendar

Supervisor Alioto requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

#### Referred to Committee

[AFDC Benefit Levels]

Resolution opposing Governor Wilson's proposed cuts to Aid to Families with Dependent Children (AFDC) benefit levels and elimination of the AFDC Homeless Assistance Program; urging Governor Wilson to raise the level of grants by at least nine percent to cover the 1990-91 cost of living adjustments. (Supervisor Alioto)

File 12-91-11, Resolution No.

Supervisor Alioto requested this item be referred to Committee with direction it be considered at its April 9, 1991 meeting.



Monday, March 25, 1991

Referred to Economic and Social Policy Committee without objection.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-12, Resolution No. 248-91

(Carole Migden, member, Board of Supervisors, March 21 - 23 and April 26 - 28; J. Stanley Mattison, member, Airports Commission, March 24 - 29; Thelma Shelley, Managing Director, War Memorial, March 22 - 30, 1991.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Golden Gate Avenue, for a Good Friday religious event. (Supervisor Gonzalez)

File 42-91-9, Resolution No. 249-91

(Golden Gate Avenue, between Leavenworth and Jones Streets, Friday, March 29, 1991, from 4:30 p.m. to 7:30 p.m.)

(The Department of Parking and Traffic opposes the street closing because it will lead to traffic congestion.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolution submitted after preparation of the Calendar.)

[Alamo Square/Buena Vista Special Use District]

Resolution extending to June 1, 1991, the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors to establish the Alamo Square/Buena Vista North Special Use District.

File 81-90-2.4, Resolution No.

Supervisor Kennedy presented for immediate adoption.

Adopted.



Monday, March 25, 1991

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Gonzalez, Ward - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Grant - State Funds]

Resolution authorizing the District Attorney to expend funds in the amount of \$141,460 made available through the Office of the Attorney General for a project entitled, "Child Victim Witness Investigative Pilot Project". (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the March 27, 1991 meeting.

File 138-90-2.1

Referred to Board

[Clean Air Week]

Resolution recognizing May 6 - 12, 1991 as "Clean Air Week" and May 9, 1991 as "Don't Drive Alone Day". (Supervisors Migden, Gonzalez, Shelley, Hsieh, Achtenberg presented.) Referred to Board April 1, 1991 Immediate Adoption Calendar.

File 4-91-7

[1991 Community Development Week]

Resolution designating National Community Development Week in San Francisco and recognizing the Mayor's Office of Community Development as the City agency to carry out the Community Development Week activities. (Supervisor Shelley presented.) Referred to Board April 1, 1991 Immediate Adoption Calendar.

File 4-91-8

Referred to Committee

[Drug Waiting List Program]

Resolution urging the continuation of the Drug Waiting List Program by targeting \$100 million drug treatment expansion monies for these purposes, by an increase of \$100 million in funding for certain Federal block grant funds, or by designating adequate portions of

Monday, March 25, 1991

the same block grant funds to continue waiting list programs; and requesting the Mayor to direct the City's Federal Legislative Representative to take action consistent with this resolution. (Supervisor Alioto presented.) Referred to City Services Committee.

File 12-91-9.1

Referred to Board

[Street Closing]

Resolution authorizing temporary closing of a portion of Turk Street, between Laguna and Gough Streets, on Saturday, April 6, 1991 from 11:00 a.m. to 6:00 p.m., for a rally to memorialize the death of Martin Luther King and to call for an end to the U.S. war in the Middle East. (Supervisor Hallinan presented.) Referred to Board April 1, 1991 Immediate Adoption Calendar.

File 42-91-10

Referred to Committee

[San Francisco 2000]

Resolution supporting the San Francisco 2000 Committee. (Supervisor Ward presented.) Referred to Economic and Social Policy Committee.

File 186-91-1

#### Requests for Hearings

File 100-90-1.14, By Supervisor Gonzalez: To consider release of funds, Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services, in the amount of \$864,315 to fund salaries and fringe benefits for administrative sections of the division. Referred to Finance Committee with request it be considered at the March 27, 1991 meeting.

File 75-91-1, By Supervisor Ward: To consider renaming Fitch Street to Dr. Walker Drive. Referred to City Services Committee.

File 75-91-2, By Supervisor Ward: To consider renaming Third Street to Dr. Martin Luther King Jr. Street. Referred to City Services Committee.

File 114-91-2, By Supervisor Hsieh: To consider requiring retrofit of high rise office buildings with sprinkler systems when renovation work is being done. Referred to Economic and Social Policy Committee.

File 161-91-2, By Supervisor Kennedy: To consider the leasing of business space in the Fillmore Center. Referred to Economic and Social Policy Committee.

Monday, March 25, 1991

File 188-91-3, By Supervisor Gonzalez: To consider Public Utilities Commission's plan to impose a water rationing plan on San Francisco residents based on a 45 percent reduction in household and business allotments to determine whether the reduction is an appropriate level by which to measure household and business allotments and by which to issue fair fines and penalties. Referred to City Services Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that letters be sent to Executive Director, Superior Court and Clerk-Administrator, Municipal Court, inquiring whether they can provide a report to the Board of Supervisors that represents the number of criminal conflict cases each court assigns per year to private attorneys and law firms and the average cost per case in each court.

By Supervisor Gonzalez, that Budget Analyst, in consultation with the Superior and Municipal Courts, prepare report that would reflect criminal conflict cases assigned per year to private law firms and average cost per case, savings to the general fund of the City and County if these functions were to be assigned to existing non-profit alternative defense counsels. The Budget Analyst is also requested to consult with the Public Defender, Mission Community Legal Defense and Bayview Hunter's Point Defenders, Inc.

By Supervisor Hsieh, that City Attorney prepare appropriate legislation which would require retrofitting high rise office buildings with sprinkler systems when renovation work is being done.

By Supervisor Hsieh, that City Attorney prepare appropriate legislation which would require issuance of a clearance prior to re-occupancy of areas where asbestos abatement projects have been performed.

By Supervisor Kennedy, that City Attorney provide opinion concerning Retirement System Board's denial of Letty Catchings' claim for full pension rights as a widow of a former City employee.

By Supervisor Kennedy, that letter be sent to Chief of Police concerning alleged illegal sales of drugs on the second floor of the Ellis Hotel at 465 Ellis Street and requesting investigation.

By Supervisor Maher, that letter be sent to the Mayor requesting that the Mayor's Office of Housing and the Mayor's Office of Community Development provide detailed financial plan of the Bernal Heights Community Foundation to include, but not limited to the following: a complete listing of all sources and amounts of funding, both public and private; the number and salaries of all full and part-time BHCF employees; a detailed accounting of non-personnel expenses, for example, pre-development, deferred payables, repairs and maintenance; and the expenditures on staff and Board of Directors expenses from Community Development Block Grants for fiscal years 1989-90 and 1990-91.

Monday, March 25, 1991

By Supervisor Maher, that Controller study the fiscal impacts of raising reimbursable travel expenses for City employees to a level comparable with other Bay Area government offices, for example, \$.30/mile for travel by car and \$35/day for food.

Motions

Referred to Board

[Senior Programs]

Motion directing the Budget Analyst to prepare survey concerning programs for senior citizens offered by the City and County of San Francisco and by the private sector within 30 days. (Supervisor Gonzalez presented.) Referred to Board April 1, 1991 Immediate Adoption Calendar.

File 165-91-2

Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Doris C. Nelder (By the entire Board)

File 2-91-12

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:55 p.m. adjourned.

John L. Taylor, Clerk

N.B.

This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, March 25, 1991

Approved by the Board of Supervisors on January 6, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors









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Vol. 86

No. 13

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Monday, April 1, 1991

# **Journal of Proceedings Board of Supervisors**

**City and County of San Francisco**



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, April 1, 1991 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Gonzalez, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Noted absent at first roll call:

Supervisors Alioto, Hallinan, Maher - 3.

Quorum present.

Supervisor Alioto was noted present at 2:13 p.m.

Supervisor Hallinan excused on official leave of absence.

Supervisor Maher was noted present at 2:12 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, September 4, 1990 be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hallinan - 1.

Presentation of Guests

Supervisor Gonzalez introduced and welcomed a delegation from the organization, Caring for Children.

Monday, April 1, 1991

Suspension of the Rule

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant the privilege of the floor to representatives of Caring for Children, for the purpose of making a special presentation.

No objection and motion carried.

Two young children presented each member of the Board with a teddy bear.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$2,328,354, Public Works, for various capital improvement projects, for fiscal year 1990-91; placing \$1,060,775 on reserve. (Controller)

File 101-90-69, Ordinance No. 128-91

Finally passed.

[Government Funding]

Ordinance appropriating \$2,003,725, Department of Public Health - DMSF, for permanent salaries-miscellaneous and nurses, related mandatory fringe benefits and medical service contract, for the creation of three positions, for fiscal year 1990-91, retroactive to July 1, 1990. (Controller)

File 101-90-75, Ordinance No. 129-91

Finally passed.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Department of Public Health, Community Mental Health, Substance Abuse, reflecting the addition of three positions (Classifications 1823 Senior Administrative Analyst, 2305 Psychiatric Technician and 2320 Registered Nurse); companion measure to File 101-90-75. (Civil Service Commission)

File 102-90-18, Ordinance No. 130-91

Finally passed.

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Passed for Second Reading

[Garage Lease Documents]

Ordinance approving and adopting Union Square Parking Garage legal documents and authorization to lease. (Real Estate Department)

File 47-91-3, Ordinance No.

Passed for second reading.

Adopted

[Lease of Real Property]

Resolution authorizing renewal of the lease of real property at 387 Ashton Avenue for the Ingleside Branch Library. (Real Estate Department)

File 64-91-6, Resolution No. 282-91

Adopted.

Recommendations of City Services Committee

Finally Passed

[Medical Transport Vehicles]

Ordinance amending Health Code, to prohibit ambulance operations by any provider not authorized under San Francisco's Emergency Medical Services Plan. (Department of Public Health)

File 118-91-1, Ordinance No. 132-91

(Adds Section 905.1.)

Finally passed.

[Licensing for Animals Used in Business]

Ordinance amending Part III, Municipal Code, to provide correct citation to the Health Code. (Animal Care and Control Department)

File 127-91-3, Ordinance No. 133-91

(Amends Section 221.2.)

Finally passed.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

Monday, April 1, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Anita Solorio against the City and County by payment of \$21,000. (City Attorney)

File 45-91-13, Ordinance No.

(Superior Court No. 919-887.)

Passed for second reading.

Adopted

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of California State Auto Association in the sum of \$7,459.99. (City Attorney)

File 48-91-1, Resolution No. 280-91

Adopted.

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Evelyn Chew in the sum of \$6,000. (City Attorney)

File 48-91-2, Resolution No. 281-91

Adopted.

[State Disability Insurance]

Resolution authorizing enrollment of Classification 1811 Management Information System Specialist I in the State Disability Insurance Program. (Employee Relations Division)

File 89-91-5, Resolution No. 285-91

Adopted.

[State Disability Insurance]

Resolution authorizing enrollment of Classification A-032 Traffic Sign Manager in the State Disability Insurance Program. (Employee Relations Division)

File 89-91-6, Resolution No. 286-91

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hallinan - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Referred to Committee

[Veteran's of the Persian Gulf War]  
Resolution welcoming home our troops returning from the Persian Gulf war, urging the Federal and State Governments to work to provide fair and equal opportunities to veterans for jobs, education and health care, and to reintegrate the returning personnel into our society; reaffirming Resolution No. 63-91, which declared San Francisco a sanctuary for all persons who for moral, ethical or religious reasons could not participate in war. (Supervisor Britt)

File 43-91-5, Resolution No.

(Pursuant to Rule 2.9a the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is read to the Board unless the rule is suspended by a majority vote of all the members of the Board in accordance with Rule 2.9b.)

(March 25, 1991 - Adopted.

March 27, 1991 - Returned disapproved by Mayor.)

Board of Supervisors  
Room 235 City Hall  
San Francisco, California

Dear Ladies and Gentlemen:

I am returning with my veto the war sanctuary resolution dated March 25, 1991.

The sanctuary resolution passed before the war began affirmed our support for a crucial Supreme Court ruling that any person could be a conscientious objector because of moral, ethical or religious reasons.

I agree with it then and now.

While I share and strongly support many of the sentiments expressed in the body of the current resolution, I disagree with its conclusion, which suggests the need to continue Sanctuary status for a war that has ended.

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San Francisco is known worldwide as a place that respects and supports people whose point of view may be different from the majority.

In the past, we have declared ourselves a City of Refuge for individuals escaping persecution in other countries. But it seems illogical for us now to reaffirm war sanctuary status for a war that is over.

This issue has divided San Franciscans against one another. It is time to put it behind us, start the healing and get to work on the other issues that affect the everyday lives of our citizens.

Sincerely

Art Agnos

Supervisor Britt, seconded by Supervisor Maher, moved to suspend Rule 2.9a and refer subject legislation to Economic and Social Policy Committee.

Motion to suspend the rule and refer the resolution to Committee adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hallinan - 1.

Recommendation of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$167,243, Municipal Railway, for capital improvement project (security improvements), for fiscal year 1990-91; placing \$167,243 on reserve. (Controller)

File 101-90-77, Ordinance No.

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hallinan - 1.

NEW BUSINESS



Monday, April 1, 1991

Recommendations of Finance Committee

Adopted

[Final Negative Declaration]

Resolution adopting Final Negative Declaration, finding and determining that construction of new facilities adjacent to the existing Central Fire Alarm Station in Jefferson Square to serve as an emergency coordination center on the south side of Turk Street between Gough and Laguna Streets in Assessor's Block 759, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Department of City Planning)

File 101-89-149.1, Resolution No. 292-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hallinan - 1.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$837,500, Fire Department, for capital improvement project (Emergency Operations Center) for fiscal year 1990-91; placing \$785,000 on reserve; companion measure to File 101-89-149.1. (Controller)

File 101-89-149, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hallinan - 1.

[Government Funding]

Ordinance appropriating retroactively \$232,985, Mayor's Office, for permanent salaries, related mandatory fringe benefits and professional and special services; for the creation of one position (Classification AA04 Employee Relations Assistant); placing \$50,000 on reserve. (Controller)

File 101-90-72, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Kennedy, Shelley, Ward - 6.

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Noes: Supervisors Britt, Hsieh, Maher, Migden - 4.

Absent: Supervisor Hallinan - 1.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Office of the Mayor, reflecting the addition of one new position (Classification AA04 Employee Relations Assistant); companion measure to File 101-90-72. (Civil Service Commission)

File 102-90-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Kennedy, Shelley, Ward - 6.

Noes: Supervisors Britt, Hsieh, Maher, Migden - 4.

Absent: Supervisor Hallinan - 1.

[Government Funding]

Ordinance appropriating retroactively \$300,000, Public Health - San Francisco General Hospital, for facilities maintenance project (renovation-billing office) and capital improvement project (nuclear laboratory relocation), for fiscal year 1990-91; placing \$150,000 on reserve for capital improvement project - relocation of the Nuclear Medicine Department. (Controller)

File 101-90-76, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hallinan - 1.

[Government Funding]

Ordinance appropriating \$19,325,716, Department of Public Works, Recreation and Park Department and Chief Administrative Officer, from the proceeds of earthquake safety bonds, phase II, for various capital improvement projects, permanent salaries and related mandatory fringe benefits and financial consultation, for the creation of two positions, for fiscal year 1990-91; placing \$5,478,294 on reserve. (Controller)

File 101-90-78, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to delete fundings for the 1446 Secretary II position.

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Motion refused adoption by the following vote:

Ayes: Supervisors Alioto, Kennedy, Maher - 3.

Noes: Supervisors Achtenberg, Britt, Gonzalez, Hsieh, Migden, Shelley, Ward - 7.

Absent: Supervisor Hallinan - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

Supervisor Gonzalez, seconded by Supervisor Britt, moved to rescind the previous vote.

Motion to rescind adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hallinan - 1.

The roll was then called on the pending motion to amend and it was refused adoption by the following vote:

Ayes: Supervisors Kennedy, Maher, Migden - 3.

Noes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Shelley, Ward - 7.

Absent: Supervisor Hallinan - 1.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Migden, Shelley, Ward - 7.

Noes: Supervisors Hsieh, Kennedy, Maher - 3.

Absent: Supervisor Hallinan - 1.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Recreation and Park Department, reflecting the addition of two new positions (Classifications AA03 Assistant Zoo Director and 1446 Secretary II); companion measure to File 101-90-78. (Civil Service Commission)

File 102-90-15, Ordinance No.

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Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Migden, Shelley - 6.

Noes: Supervisors Hsieh, Kennedy, Maher - 3.

Absent: Supervisors Hallinan, Ward - 2.

[Government Funding]

Ordinance appropriating \$38,500, Registrar of Voters, for data/word processing professional services and data/word processing equipment, for fiscal year 1990-91; placing \$20,000 on reserve. (Controller)

File 101-90-79, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Government Funding]

Ordinance appropriating \$612,356, Sheriff, for permanent salaries, temporary salaries, overtime and retirement - non City, for fiscal year 1990-91. (Controller)

File 101-90-80, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Government Funding]

Ordinance appropriating \$271,360, City Planning, for capital improvement project (Mission Bay Project); providing for ratification of action previously taken. (Controller)

File 101-90-81, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

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[Government Funding]

Ordinance appropriating \$291,040, Fire Department, for facilities maintenance project (various stations/women facilities alterations) and rescinding \$291,040 from other contractual services, for fiscal year 1990-91; subject of previous budgetary denial. (Controller)

File 101-90-82, Ordinance No.

(This item is the subject of previous budgetary denial; requires eight votes for passage pursuant to Charter Section 6.306.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Airport - Lease Modification]

Ordinance approving Modification No. 2 of lease agreement between Qantas Airways, Ltd. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Library Department Construction Fund]

Ordinance amending Administrative Code, to establish a special fund for the construction of additions or enhancements to the new Main Library. (Public Library)

File 97-91-5, Ordinance No.

(Adds Section 10.117-107.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Membership in Organizations]

Ordinance amending Administrative Code, changing the title of organizations and adding one organization represented by the

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Agricultural Commissioner and Sealer of Weights and Measures. (City Attorney)

File 97-91-18, Ordinance No.

(Amending Sections 16.6-40 and 16.6-41.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Interest Payments]

Ordinance amending Administrative Code, to establish the San Francisco Bond Facilitation Act. (Public Utilities Commission)

File 97-91-19, Ordinance No.

(Adds Chapter 64.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

Adopted

[Water Revenue Bonds]

Resolution approving the issuance of not to exceed \$76,000,000 principal amount of Public Utilities Commission of the City and County of San Francisco, San Francisco Water Revenue Bonds, 1991 Series A, approving covenants contained in the indenture pursuant to which the bonds are issued and authorizing establishment of funds and accounts; companion measure to 97-91-19. (Public Utilities Commission)

File 170-90-8.1, Resolution No. 299-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

Passed for Second Reading

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[Hold Harmless Agreements]

Ordinance amending Administrative Code, authorizing the Public Utilities Commission to execute hold harmless agreements with transportation agencies. (Public Utilities Commission)

File 97-91-21, Ordinance No.

(Adds Section 1.40.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

Adopted

[Public Transportation]

Resolution approving revised fare schedule of the San Francisco Municipal Railway (pertaining to Section V, Regional Transfer arrangements); companion measure to File 97-91-21. (Public Utilities Commission)

File 7-91-3, Resolution No. 273-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

Passed for Second Reading

[First Lease Amendment to Lease of Real Property]

Ordinance approving first lease amendment with Crent Company for occupancy of Pier 31 for warehousing facility, property controlled by the Port Commission. (Port Commission)

File 173-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

Adopted

[Farmer's Market - Disposition and Development Agreement]

Resolution authorizing and approving form and content of a disposition and development agreement for Blocks 5731, 5732, 5733,

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5733A and 5734, Lot 1, commonly known as the Farmer's Market, as provided in Resolution No. 153-91. (Real Estate Department)

File 65-90-7.1, Resolution No. 283-91

Supervisor Maher moved to rerefer to Committee.

Motion lost for want of a second.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Migden, Shelley - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Hallinan, Ward - 2.

[Emergency Work]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to restore the integrity of the sewer on Gough Street, Jackson Street to Washington Street. (Department of Public Works)

File 28-91-3, Resolution No. 276-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Employee Replacement]

Resolution approving immediate filling of vacated position of Classification 4282 - Chief Assistant Assessor, Assessor's Office; retroactive to February 19, 1991. (Assessor's Office)

File 31-91-3, Resolution No. 277-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.



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[Federal Funding - Community Development]

Resolution approving an amendment to the 1991 Community Development Program and Housing Assistance Plan; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, receive, and expend \$1,936,000 in additional entitlement funds and transfer \$381,826 from contingencies under the City's 1991 Community Development Block Grant (CDBG) Program from the U.S. Department of Housing and Urban Development; approving addendum 1 to the expenditure schedule for recipient departments and agencies and for indirect costs, and, determining no environmental evaluation is required; and authorizing the receipt and deposit in contingencies of 1991 CDBG Entitlement Funds in excess of \$1,936,000. (Supervisor Gonzalez on behalf of Mayor's Office of Community Development)

File 79-91-1, Resolution No. 284-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Grant - Earthquake Funds]

Resolution authorizing the Public Utilities Commission to apply for, accept and expend up to \$568,032 of emergency earthquake revenue reimbursement for costs and lost revenues resulting from providing emergency transit services following the Loma Prieta Earthquake. (Public Utilities Commission)

File 94-91-1, Resolution No. 290-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Release of Reserves-Department of Public Health]

Resolution releasing reserve of \$864,315 in the administrative account of Community Mental Health, Department of Public Health for report on the planning and budgetary process for the Department of Mental Health Substance Abuse and Forensic Services. (Department of Public Health)

File 100-90-1.14, Resolution No. 291-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

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[Grant - State Funds]

Resolution authorizing the Department of Public Health, Family Health Bureau, to accept and expend an augmentation to a grant of \$23,689 from the State Department of Health Services, Maternal Child Health Branch Perinatal Services. (Department of Public Health)

File 146-91-26, Resolution No. 294-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services Division, Family Health Bureau to apply for a grant of \$150,000 from the National Fetal-Infant Mortality Review Program for enhancement of its community-based fetal-infant mortality review program; providing for ratification of action previously taken. (Mayor)

File 146-91-27, Resolution No. 295-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[State and Local Government Awards Program]

Resolution authorizing the Department of Public Health, San Francisco General Hospital, to apply for an award of \$100,000 from the Innovations in State and Local Government Awards Program of the Ford Foundation and the Harvard University John F. Kennedy School of Government for the Grandparents Who Care Support and Advocacy Project; providing for ratification of action previously taken. (Mayor)

File 146-91-28, Resolution No. 296-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

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[State and Local Government Awards Program]

Resolution authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensics, Center for Special Problems, to apply for an award of \$100,000 from the Innovations in State and Local Government Awards Program of the Ford Foundation and the Harvard University John F. Kennedy School of Government for the Centers for Special Problems; providing for ratification of action previously taken. (Mayor)

File 146-91-29, Resolution No. 297-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Grant - State Funds]

Resolution authorizing the Department of Public Works to apply for grant funding in the amount of \$1,250,000 from the State of California, Resources Agency for providing additional environmental enhancement improvements in the Embarcadero Surface Roadway Project. (Department of Public Works)

File 148-91-6, Resolution No. 298-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

Recommendations of Administration and Oversight Committee

Adopted

[Appointment]

Resolution appointing member to the Emergency Medical Care Committee, for the three-year term ending June 30, 1992. (Administration and Oversight Committee)

File 92-90-22.1, Resolution No. 288-91

(Camille Huchton, Consumer, vice Tena C. Watkins, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

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[Appointment]

Resolution appointing member to the Ballot Simplification Committee, for the two-year term ending November 30, 1992. (Administration and Oversight Committee)

File 92-90-34, Resolution No. 289-91

(John M. Odell, (National Academy of Television Arts and Sciences) vice Beverly Ornstein, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Appointment]

Resolution confirming Mayor's appointments to the War Memorial Board of Trustees, for the six-year term ending January 2, 1997. (Mayor)

File 33-91-4, Resolution No. 278-91

(Gina Moscone, vice herself, term expired;  
Charlotte Swig, vice herself, term expired;  
Marie Acosta-Colon, vice Claude Jarman, term expired;  
Zuretti L. Goosby, vice Sam Harrison, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Appointment]

Resolution confirming Mayor's appointment to the Relocation Appeals Board, for the three-year term ending January 2, 1994. (Mayor)

File 33-91-5.1, Resolution No. 300-91

(Jamal F. Mogannam, vice himself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

[Appointment]

Resolution appointing member to the Task Force on Transfer Benefits, for indefinite term. (Administration and Oversight Committee)

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File 92-91-6, Resolution No. 287-91

(Pierre Ludington, Health Commissioner, vice Rosabelle Tobriner resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Hallinan, Migden, Ward - 3.

Recommendations of Economic and Social Policy Committee

Passed for Second Reading

[Towing Cars Blocking Access Ramps]

Ordinance amending Traffic Code, which subjects to towing vehicles left illegally parked within three feet of any sidewalk access ramp constructed adjacent to a crosswalk so as to be accessible to and usable by the physically disabled. (Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Shelley, Hsieh, Migden)

File 124-91-2, Ordinance No.

(Adds Section 70b.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Migden, Shelley - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Hallinan, Ward - 2.

Adopted as Amended

[Painting Sidewalk Access Ramps]

Resolution urging the Mayor to urge the Parking and Traffic Commission and Department to work with advocates and representatives of the mobility impaired community in designating the highest priority sidewalk access ramps in the City and County to be painted red(; urging commencement of painting sidewalk access ramps in these designated areas immediately; urging the completion of the painting of the City's sidewalk access ramps red within six months)). (Supervisors Migden, Kennedy, Alioto)

File 124-91-2.1, Resolution No. 293-91

Supervisor Hsieh, seconded by Supervisor Maher, moved to amend title, line five through line seven and text, beginning with page one, line 26 and page two, lines one through six, by deleting the last "resolved" clause relating to painting sidewalk access ramps red within six months.

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Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

Adopted

[State Legislation]

Resolution supporting AB 7 (Floyd) and urging the State Legislature to pass this measure requiring all California motorcyclists to wear approved safety helmets. (Supervisor Alioto)

File 12-91-8, Resolution No. 274-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Hallinan, Maher, Ward - 3.

Adopted as Amended

[Traffic Regulations]

((Resolution amending Resolution No. 13009, by adding the intersection of Broadway, east bound traffic, into Columbus Avenue from which left-hand turns are prohibited between the hours of 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m., Monday through Friday, and requesting the Department of Public Works to erect a left-turn signal and appropriate signs giving notice of such prohibition.)) (Supervisors Maher, Alioto)

Resolution amending Resolution No. 94-61, by re-designating the intersection of Broadway, east bound traffic, into Columbus Avenue from which left-hand turns are prohibited--between the hours of 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m. Monday through Friday, and requesting the Department of Public Works to erect a left-turn signal and appropriate signs giving notice of such prohibition.

File 20-91-1, Resolution No. 275-91

Supervisor Maher, seconded by Supervisor Hsieh, moved an amendment of the whole entitled, "Resolution amending Resolution No.

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94-61, by re-designating the intersection of Broadway, east bound traffic, into Columbus Avenue from which left-hand turns are prohibited--between the hours of 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m. Monday through Friday, and requesting the Department of Public Works to erect a left-turn signal and appropriate signs giving notice of such prohibition."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

#### Consideration Continued

[Ritz-Carlton Hotel Labor Force]

Resolution welcoming the Ritz-Carlton Hotel to San Francisco and urging the Ritz-Carlton to draw from the San Francisco based labor force, particularly residents of color, in meeting its hiring needs at all levels of the hotel's personnel organization. (Supervisors Ward, Achtenberg, Kennedy, Alioto, Britt, Gonzalez, Migden, Shelley)

File 176-91-1, Resolution No.

Supervisor Migden, seconded by Supervisor Britt, moved to continue consideration to April 8, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Ward - 2.

The President reassumed the Chair.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Connie Arnold;  
Peter Mendoza;  
Dehnert Queen;  
Ace Washington;  
Billy Francois.



Monday, April 1, 1991

FOR ADOPTION WITHOUT COMMITTEE REFERENCE CALENDAR

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Britt, on behalf of Supervisor Hallinan, requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Street Closing]

Resolution authorizing temporary closing of a portion of Turk Street, for a rally to memorialize the death of Martin Luther King and to call for an end to the U.S. war in the Middle East.  
(Supervisor Hallinan)

File 42-91-10, Resolution No. 279-91

(Turk Street, between Laguna and Gough Streets, on Saturday, April 6, 1991 from 11:00 a.m. to 6:00 p.m.)

(March 25, 1991 - Introduced in Board for consideration on April 1, 1991.)

Supervisor Britt, seconded by Supervisor Alioto, moved an amendment of the whole, bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisors Hallinan - 1.

Supervisor Gonzalez, seconded by Supervisor Maher, moved to rescind the previous vote:

Motion to rescind adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.



Monday, April 1, 1991

Absent: Supervisor Ward - 1.

Supervisor Kennedy, seconded by Supervisor Maher, moved to amend the pending amendment of the whole on line six, after the word "rally" by deleting the remainder of the sentence.

Motion to amend refused adoption by the following vote:

Ayes: Supervisor Kennedy - 1.

Noes: Supervisors Achtenberg, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Hallinan - 2.

Supervisor Maher, seconded by Supervisor Hsieh, moved to amend the pending amendment of the whole on line 22, after "Street," by inserting "(northernmost lane)" which would require one lane of traffic to be kept opened.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hallinan - 1.

The roll was then called on the amendment of the whole and it was adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Hallinan - 1.

The roll was then called on the resolution as amended and it was adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Hallinan - 1.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

Monday, April 1, 1991

For Adoption Without Committee Reference

Adopted

[Clean Air Week]

Resolution recognizing May 6 - 12, 1991 as "Clean Air Week" and May 9, 1991 as "Don't Drive Alone Day". (Supervisors Migden, Gonzalez, Shelley, Hsieh, Achtenberg)

File 4-91-7, Resolution No. 271-91

(March 25, 1991 - Introduced in Board for consideration on April 1, 1991.)

Adopted.

[1991 Community Development Week]

Resolution designating National Community Development Week in San Francisco and recognizing the Mayor's Office of Community Development as the City agency to carry out the Community Development Week activities. (Supervisors Shelley, Kennedy)

File 4-91-8, Resolution No. 272-91

(March 25, 1991 - Introduced in Board for consideration on April 1, 1991.)

Adopted.

[Senior Programs]

Motion directing the Budget Analyst to prepare survey concerning programs for senior citizens offered by the City and County of San Francisco and by the private sector within 30 days. (Supervisor Gonzalez)

File 165-91-2

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Hallinan - 2.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after

Monday, April 1, 1991

the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-13, Resolution No. 265-91

(Mayor Art Agnos, March 28-31; Tom Ammiano, member, Board of Education March 22-29; Peter Ashe, member, Retirement Board, April 4-6; Thad Brown, Tax Collector, May 4-22; Anne Halsted, member, Port, March 30-April 7; Michael Huerta, Executive Director, Port, April 9-11; Margel Kaufman, member, Health Commission, April 9-13; J. Stanley Mattison, member, Airports Commission, March 24-29; Clare Murphy, General Manager, Retirement System May 1-20; Beverly Prior, Vice President, Board of Permit Appeals, April 10-14; Richard Sanchez, member, Health Commission, March 30-April 8; V. Fei Tsen, Vice President, Redevelopment Agency, April 1-7; Patricia Underwood, member, Health Commission, April 28-30; May 1-4 and May 22- June 17; Sam Walker, member, Retirement Board, May 11-15; Douglas Wong, member, Port, April 9-11, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[National County Government Week]

Resolution requesting the Mayor to declare April 7-13, 1991 County Government Week.

File 4-91-10, Resolution No. 266-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[State Legislation]

Resolution urging passage of Senate Bill 98 relating to increasing the penalties for misdemeanor hate crimes.

File 12-91-12, Resolution No. 267-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

Monday, April 1, 1991

[Street Closing]

Resolution authorizing temporary closing of a portion of Broadway, between Webster and Buchanan Streets, on Monday, April 8, 1991, from 7:00 a.m. to 2:00 p.m., for filming of a motion picture by Basic Instinct, Inc.

File 42-91-12, Resolution No. 268-91

Supervisor Ward presented for immediate adoption.

Adopted.

"[Street Closing]

Resolution authorizing temporary closing of a portion of Howard Street, between Third and Fourth Streets, on Thursday, April 4, 1991, through Monday, April 8, 1991, and on Tuesday, April 23, 1991 through April 25, 1991, from 6:00 p.m. to 7:00 a.m. for filming of a motion picture by Basic Instinct, Inc.

File 42-91-13, Resolution No. 269-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Welcoming Troops of the Persian Gulf War]

Resolution welcoming the troops returning from Operation Desert Storm to San Francisco.

File 43-91-5.1, Resolution No. 270-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Hallinan - 2.

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Special Use District]

Ordinance amending City Planning Code by adding Section 249.10 to create an Affordable Housing Special Use District at South Van Ness

Avenue and Twenty-fourth Street and finding consistency with Planning Code Section 101.1. (Supervisor Ward presented.) Referred to Economic and Social Policy Committee.

File 81-91-2

[Legislation - Fiscal Impact]

Ordinance amending Administrative Code by adding Section 2.6-3 requiring any legislation having a fiscal impact be so indicated, requiring legislation creating a fiscal impact to be referred to the Finance Committee for consideration and requiring the Budget Analyst to provide the Board of Supervisors with an analysis of the total cost of programs provided by legislation. (Supervisors Ward and Kennedy presented.) Referred to Finance Committee.

File 97-91-24

[Special Trust Fund]

Draft ordinance amending Administrative Code by amending Section 10.117-58 to transfer responsibility for administering the Substitute Payee Program Trust Fund from Community Mental Health Services to the Public Administrator/Public Guardian. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 97-91-25

Referred to Board

[Proclamation]

Resolution proclaiming April 1 to 7, 1991 as the Week of the Young Child in San Francisco. (Supervisor Gonzalez presented.) Referred to Board April 8, 1991 Immediate Adoption Calendar.

File 4-91-9

[Commendation]

Resolution commending the Center for Special Problems for their work in the treatment of child sexual offenders and in honor of becoming a semi-finalist in the 1991 Innovations Award Program sponsored by the Ford Foundation and the Kennedy School of Government at Harvard University. (Supervisor Achtenberg presented.) Referred to Board April 8, 1991 Immediate Adoption Calendar.

File 4-91-11

Referred to Committee

[Sister City]

Resolution urging the Mayor to establish Sister City between San Francisco, California and Las Vueltras, El Salvador. (Supervisors Gonzalez, Ward, Shelley presented.) Referred to Economic and Social Policy Committee.

File 214-91-1

Monday, April 1, 1991

[Ballot Measure]

Charter amendment (skeletal) to amend the Charter to reclassify the position of 8222 Housing Police Officer by creating a new police officer classification with peace officer status and authority pursuant to California Penal Code Section 830.1 and permit these officers to participate in the sergeant's promotional examination, subject them to discipline under Section 8.343 of the San Francisco Charter and to allow determination of their working conditions under Section 8.590 et seq of the San Francisco Charter. (Supervisor Gonzalez presented.) Referred to Administration and Oversight Committee.

File 190-91-1

Requests for Hearings

File 12-91-13, By Supervisor Migden: To consider supporting Assembly Bill 2782 pertaining to property taxation and escaped assessment. Referred to Finance Committee.

File 42-91-11, By Supervisor Ward: To consider authorizing temporary closing of a portion of Third Street, between Revere and Palou Avenues, on Saturday, April 27, 1991, for the purpose of recognizing "Earth Day". Referred to Economic and Social Policy Committee.

File 97-91-26, By Supervisor Kennedy: To consider procedures used by various City departments in the awarding of contracts; such as, selection committee, project procedures and evaluation and rating system and responsibility. Referred to City Services Committee.

File 114-91-3, By Supervisor Migden: To consider amending the Building Code to mandate the use of reclaimed water for soil compaction and dust control in all construction and demolition projects in the City and County of San Francisco. Referred to Economic and Social Policy Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that City Attorney prepare appropriate legislation concerning standardized eligibility documentation for the Federal AIDS Drug Program pursuant to State Law AB 1724.

By Supervisor Kennedy, that City Attorney prepare appropriate legislation which would prohibit smoking any tobacco products by a passenger or driver in any taxicab licensed by the City and County and that drivers be required to discharge any passenger who violates this law.

By Supervisor Kennedy, that City Attorney investigate and determine if the City and County of San Francisco can make deferred loans

Monday, April 1, 1991

available to some prospective first-time home buyers among its low- and middle-income workers similar to the program being offered by San Mateo County.

By Supervisor Migden, that letter of inquiry be sent to the Director of Health to determine whether the Community Substance Abuse Services Division is in compliance with the guarantees provided by Section 504 of the 1973 Federal Rehabilitation Act and what the current state of accessibility to people with disabilities to alcohol and drug abuse programs in the City and County.

By Supervisor Migden, that City Attorney prepare appropriate legislation which states it is the policy of the City and County that reclaimed water shall be used within its jurisdiction wherever feasible and consistent with legal requirements, preservation of public health, safety and welfare and the environment; makes it mandatory to use reclaimed water; allows for temporary use of potable water; explains the permit process and implementation program as well as a public education information program.

#### Recess

At the request of President Ward, the Board recessed at the hour of 4:51 p.m. to convene in closed session pursuant to Government Code Section 54957.6 for the purpose of reviewing and instructing the City's designated employee relations representatives regarding salaries and fringe benefits for City employees.

#### Reconvening of the Board

The Board, at the hour of 5:25 p.m., reconvened.

#### Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City's employee relations representatives as provided in the Government Code.

#### ADJOURNMENT

The President adjourned the meeting at 5:25 p.m.

John L. Taylor, Clerk

Monday, April 1, 1991

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 13, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors











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No. 14

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Monday, April 8, 1991

# **Journal of Proceedings Board of Supervisors**

**City and County of San Francisco**



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, April 8, 1991 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:13 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Migden, Shelley, Ward - 8.

Noted absent at first roll call:

Supervisors Britt, Kennedy, Maher - 3.

Quorum present.

Supervisor Kennedy excused. (See infra.)

Supervisor Britt was noted present at 2:55 p.m.

Supervisor Maher was noted present at 2:17 p.m.

Supervisors Britt and Kennedy Excused

The Clerk announced that Supervisor Kennedy had requested to be excused from attending today's meeting and Supervisor Britt is at the Metropolitan Transportation Commission meeting and requested to be excused until his arrival.

Supervisor Alioto, seconded by Supervisor Gonzalez, moved to excuse Supervisor Britt until his arrival.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Kennedy, Maher - 3.

Monday, April 8, 1991

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Achtenberg, moved that the Journal of Proceedings for Monday, September 17, 1990, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

Presentation of Guest

Supervisor Hallinan introduced and welcomed the Honorable Ulises Gonzalez, Mayor of Esteli, Nicaragua. Mr. Gonzalez expressed gratitude for the opportunity to come to this City to establish the beginning of a friendship between both cities and hope to learn and communicate with each other to help solve common problems. He indicated he will convey to the people of Esteli the warm welcome he has received.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$837,500, Fire Department, for capital improvement project (Emergency Operations Center) for fiscal year 1990-91; placing \$785,000 on reserve. (Controller)

File 101-89-149, Ordinance No. 150-91

Finally passed.

[Government Funding]

Ordinance appropriating retroactively \$300,000, Public Health - San Francisco General Hospital, for facilities maintenance project (renovation-billing office) and capital improvement project (nuclear laboratory relocation), for fiscal year 1990-91; placing \$150,000 on reserve for capital improvement project - relocation of the Nuclear Medicine Department. (Controller)

File 101-90-76, Ordinance No. 143-91

Finally passed.



Monday, April 8, 1991

[Government Funding]

Ordinance appropriating \$38,500, Registrar of Voters, for data/word processing professional services and data/word processing equipment, for fiscal year 1990-91; placing \$20,000 on reserve. (Controller)

File 101-90-79, Ordinance No. 146-91

Finally passed.

[Government Funding]

Ordinance appropriating \$612,356, Sheriff, for permanent salaries, temporary salaries, overtime and retirement - non City, for fiscal year 1990-91. (Controller)

File 101-90-80, Ordinance No. 147-91

Finally passed.

[Government Funding]

Ordinance appropriating \$271,360, City Planning, for capital improvement project (Mission Bay Project); providing for ratification of action previously taken. (Controller)

File 101-90-81, Ordinance No. 148-91

Finally passed.

[Airport - Lease Modification]

Ordinance approving Modification No. 2 of lease agreement between Qantas Airways, Ltd. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-91-1, Ordinance No. 138-91

Finally passed.

[Garage Lease Documents]

Ordinance approving and adopting Union Square Parking Garage legal documents and authorization to lease. (Real Estate Department)

File 47-91-3, Ordinance No. 135-91

Finally passed.

[Library Department Construction Fund]

Ordinance amending Administrative Code, to establish a special fund for the construction of additions or enhancements to the new Main Library. (Public Library)

Monday, April 8, 1991

File 97-91-5, Ordinance No. 140-91

(Adds Section 10.117-107.)

Finally passed.

[Membership in Organizations]

Ordinance amending Administrative Code, changing the title of organizations and adding one organization represented by the Agricultural Commissioner and Sealer of Weights and Measures. (City Attorney)

File 97-91-18, Ordinance No. 141-91

(Amending Sections 16.6-40 and 16.6-41.)

Finally passed.

[Interest Payments]

Ordinance amending Administrative Code, to establish the San Francisco Bond Facilitation Act. (Public Utilities Commission)

File 97-91-19, Ordinance No. 134-91

(Adds Chapter 64.)

Finally passed.

[Hold Harmless Agreements]

Ordinance amending Administrative Code, authorizing the Public Utilities Commission to execute hold harmless agreements with transportation agencies. (Public Utilities Commission)

File 97-91-21, Ordinance No. 142-91

(Adds Section 1.40.)

Finally passed.

[First Lease Amendment to Lease of Real Property]

Ordinance approving first lease amendment with Crent Company for occupancy of Pier 31 for warehousing facility, property controlled by the Port Commission. (Port Commission)

File 173-91-1, Ordinance No. 151-91

Finally passed.

Monday, April 8, 1991

Passed for Second Reading

[Parking Lot Lease Documents]

Ordinance approving and adopting Seventh and Harrison Parking Lot legal documents and authorization to lease. (Real Estate Department)

File 47-91-4, Ordinance No.

Passed for second reading.

Adopted

[Contracting Out City Services]

Resolution concurring with the Controller's certification that legal process server services can be practically performed for the District Attorney, Family Support Bureau by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney)

File 25-91-7, Resolution No. 153-91

Adopted.

[Contracting Out City Services]

Resolution concurring with the Controller's approval that security guard services can be practically performed for the Department of Public Works at 450 McAllister Street by private contractor for lower cost than similar work services performed by City and County of San Francisco, commencing July 1, 1991. (Department of Public Works)

File 25-91-8, Resolution No. 308-91

Adopted.

Recommendation of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Anita Solorio against the City and County by payment of \$21,000. (City Attorney)

File 45-91-13, Ordinance No. 139-91

(Superior Court No. 919-887.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Monday, April 8, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating retroactively \$232,985, Mayor's Office, for permanent salaries, related mandatory fringe benefits and professional and special services; for the creation of one position (Classification AA04 Employee Relations Assistant); placing \$50,000 on reserve. (Controller)

File 101-90-72, Ordinance No. 136-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Shelley, Ward - 6.

Noes: Supervisors Hsieh, Maher, Migden - 3.

Absent: Supervisors Britt, Kennedy - 2.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Office of the Mayor, reflecting the addition of one new position (Classification AA04 Employee Relations Assistant); companion measure to File 101-90-72. (Civil Service Commission)

File 102-90-14, Ordinance No. 137-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Shelley, Ward - 6.

Noes: Supervisors Hsieh, Maher, Migden - 3.

Absent: Supervisors Britt, Kennedy - 2.

Monday, April 8, 1991

[Government Funding]

Ordinance appropriating \$19,325,716, Department of Public Works, Recreation and Park Department and Chief Administrative Officer, from the proceeds of earthquake safety bonds, phase II, for various capital improvement projects, permanent salaries and related mandatory fringe benefits and financial consultation, for the creation of two positions, for fiscal year 1990-91; placing \$5,478,294 on reserve. (Controller)

File 101-90-78, Ordinance No. 144-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Maher, Migden, Shelley, Ward - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Britt, Kennedy - 2.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1990-91, Recreation and Park Department, reflecting the addition of two new positions (Classifications AA03 Assistant Zoo Director and 1446 Secretary II); companion measure to File 101-90-78. (Civil Service Commission)

File 102-90-15, Ordinance No. 145-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Maher, Migden, Shelley, Ward - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Britt, Kennedy - 2.

[Government Funding]

Ordinance appropriating \$291,040, Fire Department, for facilities maintenance project (various stations/women facilities alterations) and rescinding \$291,040 from other contractual services, for fiscal year 1990-91; subject of previous budgetary denial. (Controller)

File 101-90-82, Ordinance No.

(This item is the subject previous budgetary denial requires 8 votes for passage pursuant to Charter Section 6.306.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

Monday, April 8, 1991

Recommendations of Economic and Social Policy Committee

Finally Passed

[Towing Cars Blocking Access Ramps]

Ordinance amending Traffic Code, which subjects to towing vehicles left illegally parked within three feet of any sidewalk access ramp constructed adjacent to a crosswalk so as to be accessible to and usable by the physically disabled. (Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Shelley, Hsieh)

File 124-91-2, Ordinance No. 152-91

(Adds Section 70b.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Migden, Shelley, Ward - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Britt, Kennedy - 2.

Consideration Continued

[Ritz-Carlton Hotel Labor Force]

Resolution welcoming the Ritz-Carlton Hotel to San Francisco and urging the Ritz-Carlton to draw from the San Francisco based labor force, particularly residents of color, in meeting its hiring needs at all levels of the hotel's personnel organization. (Supervisors Ward, Achtenberg, Kennedy, Alioto, Britt, Gonzalez, Migden, Shelley)

File 176-91-1, Resolution No.

Supervisor Maher, seconded by Migden, moved to continue consideration to April 15, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

Monday, April 8, 1991

[Government Funding]

Ordinance appropriating \$205,262, Fire Department, for facilities maintenance project (replace fuel tank), for fiscal year 1990-91; placing \$135,300 on reserve. (Controller)

File 101-90-83, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

[Government Funding]

Ordinance appropriating \$15,200,000, Fire Department, City Attorney, Controller and Chief Administrative Officer, for various capital improvement projects (1986 Fire Protection System Improvement Bonds), and various program project budgets, for fiscal year 1990-91; placing \$13,506,943 on reserve. (Controller)

File 101-90-84, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

[Document Fee]

Ordinance amending Administrative Code, authorizing the County Clerk to collect a documentary handling fee in the amount of \$25.00 for environmental review documents filed pursuant to California Fish and Game Code Section 711.4. (City Attorney)

File 97-91-17, Ordinance No.

(Adds Section 31.60.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

[Jefferson Square]

Ordinance selecting and setting aside additional land at Central Fire Alarm Station-Jefferson Square for the construction of an emergency operations/communications center. (Real Estate Department)

Monday, April 8, 1991

File 185-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

Adopted

[Redevelopment Agency Bonds]

Resolution approving the issuance by the Redevelopment Agency of the City and County of San Francisco of Multifamily Housing Revenue Bonds in an additional aggregate principal amount not to exceed \$35,000,000 for the purposes of its residential construction financing program for the Western Addition A-2 Redevelopment Project Area. (Supervisor Gonzalez)

File 11-91-1, Resolution No. 304-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Migden, Shelley, Ward - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Britt, Kennedy - 2.

[Redevelopment Agency Bonds]

Resolution approving the issuance by the Redevelopment Agency of the City and County of San Francisco of agency revenue bonds in a par value not to exceed \$30,000,000 to finance public improvements and public facilities in the Yerba Buena Center Redevelopment Project Area. (Supervisor Shelley)

File 91-91-1, Resolution No. 309-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Migden, Shelley, Ward - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Britt, Kennedy - 2.

Resolution authorizing the District Attorney of the City and County of San Francisco to expend funds in the amount of \$141,460 made available through the Office of the Attorney General for a project



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entitled "Child Victim Witness Investigative Pilot Project";  
providing for ratification of action previously taken. (District  
Attorney)

File 138-90-2.1, Resolution No. 311-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan,  
Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Central  
Administration, to accept and expend a grant of \$56,050 from the  
State Department of Health Services for materials and resources  
identifying health services available to lawful temporary residents  
of San Francisco. (Mayor)

File 146-91-3, Resolution No. 312-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan,  
Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

[Grant - Private Funds]

Resolution authorizing the Department of Public Health, Emergency  
Medical Services (EMS) Agency, to accept and expend a grant of  
\$5,000 from the Fujisawa Pharmaceutical Company to fund personnel to  
assist in a study using the drug adenosine in the prehospital  
setting. (Mayor)

File 146-91-17.1, Resolution No. 313-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan,  
Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

#### Recommendations of City Services Committee

Adopted

[Permit]

Resolution granting revocable permission to Maiden Lane Association  
to renovate the existing lightposts and to install four low

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ornamental and retractable steel gates to replace the steel chains at Maiden Lane between Stockton Street and Grant Avenue and Grant Avenue and Kearny Street; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-91-2, Resolution No. 303-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

[Drug Waiting List Program]

Resolution urging the continuation of the Drug Waiting List Program by targeting \$100 million drug treatment expansion monies for these purposes, by an increase of \$100 million in funding for certain federal block grant funds, or by designating adequate portions of the same block grant funds to continue Waiting List Programs; and requesting the Mayor to direct the City's federal legislative representative to take action consistent with this resolution. (Supervisors Alioto, Achtenberg, Hsieh)

File 12-91-9.1, Resolution No. 305-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

Resolution designating those agencies qualified to participate in the 1991 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (City Services Committee)

File 162-91-1, Resolution No. 314-91

(Bay Area Black United Fund, Combined Health Appeal of California, Environmental Federation of California, International Service Agencies, The Progressive Way, United Way of the Bay Area, Local Independent Agencies.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

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Recommendations of Economic and Social Policy Committee

Adopted

[AFDC Benefit Levels]

Resolution opposing Governor Wilson's proposed cuts to Aid to Families with Dependent Children (AFDC) benefit levels and elimination of the AFDC Homeless Assistance Program; urging Governor Wilson to raise the level of grants by at least nine percent to cover the 1990-91 cost of living adjustments. (Supervisor Alioto)

File 12-91-11, Resolution No. 322-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

[Interim Zoning Controls - Gasoline Station]

Resolution extending for an additional six months Interim Zoning Controls imposed making it unlawful to convert property on which a service station business is conducted to non-service station use. (Supervisor Hallinan)

File 111-91-1, Resolution No. 310-91

(Exempt from environmental review.)

Pursuant to City Planning Code Section 306.7, Supervisor Migden presented a report of the substance of the April 2, 1991 hearing before the Economic and Social Policy Committee on the subject legislation (copy of which is contained in Board of Supervisors file).

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Kennedy - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13004, dated January 31, 1991, approving a

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Conditional Use Application No. 90.405EC, authorizing a density bonus under California State Law to allow construction of as many as 18 affordable residential units with an exception to rear yard requirements on a lot containing 9500 square feet of area in an RM-2 (Mixed Residential, Moderate Density) District and the proposed Sixteenth and Church Streets Affordable Housing Special Use District with a 40-X Height and Bulk Designation of property located at 3400 16th Street, northwest corner of Church Street, Lots 8 and 9 in Assessor's Block 3558.

File 37-91-1

(Appeal filed March 1, 1991.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Terry Ward;  
Don Stroll;  
Steven Katz;  
Ashton Olsen;  
Lynn Philcher;  
Randy Hayes;  
Ms. Gardenia;  
Don Lawson;  
Larry Marco;  
Henry Hopkins;  
Diane McPhearson.

Respondents:

Bob Passmore, representing City Planning Commission and  
Department of City Planning;  
Jody Reed;  
Monsignor John O'Connor;  
Susan Linnerman;  
Merna Melacar;  
Calvin Welch;  
Joe Lacey;  
Mary Anne Dillon;  
Walter Park;  
David Spiro;  
Rick Champion;  
Joe O'Donahue;  
Brian Dohane;  
Carol Holnick Cowan;  
Margaret Jarman;  
Rick Judd.

A rebuttal period was allowed.

The President then declared the hearing closed.

From the Clerk

(Only one of the following two motions should be adopted.)

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Adopted

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13004, dated January 31, 1991, approving Application No. 90.405EC, for conditional use of property at 3400 16th Street, northwest corner of Church Street.

File 37-91-1.1

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Kennedy, Maher - 2.

Tabled

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13004, dated January 31, 1991, approving Application No. 90.405EC, for conditional use of property at 3400 16th Street, northwest corner of Church Street.

File 37-91-1.2

Supervisor Achtenberg, seconded by Supervisor Britt, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Kennedy, Maher - 2.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use of property at 3400 16th Street, northwest corner of Church Street.

File 37-91-1.3

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 8.

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Noes: Supervisor Hsieh - 1.

Absent: Supervisors Kennedy, Maher - 2.

#### COMMITTEE REPORTS

Supervisor Gonzalez presented the following two items and moved that the Board find that the need to take action arose subsequent to the publication of the calendar. Supervisor Britt seconded the motion.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 8.

Absent: Supervisors Hsieh, Kennedy, Maher - 3.

#### Recommendations of Finance Committee

Passed for Second Reading

[Lease]

Ordinance approving lease with Service Engineering Co. for occupancy of Pier 50 and termination of lease at Piers 38 and 40, controlled by the Port Commission. (Supervisor Gonzalez presented as recommendation of Finance Committee.)

File 173-91-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden, Shelley, Ward - 9.

Absent: Supervisors Kennedy, Maher - 2.

Adopted

[Prop. 98 - Education Funding]

Resolution opposing the suspension of Proposition 98 for the purpose of cutting \$2 billion from the education budget and urging the San Francisco Delegation to take necessary action to find revenue sources for full funding for both education and health and other vital human services in the 1991-92 State Budget. (Supervisors Gonzalez and Ward presented as recommendation of Finance Committee.)

File 12-91-10, Resolution No. 306-91

Adopted by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 8.

Absent: Supervisors Hsieh, Kennedy, Maher - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ellie H. Lau;  
Ace Washington;  
Gregory Goldstein;  
Edith McMillan;  
Dehnert Queen.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Proclamation]

Resolution proclaiming April 1 to 7, 1991 as the Week of the Young Child in San Francisco. (Supervisor Gonzalez)

File 4-91-9, Resolution No. 301-91

(April 1, 1991 - Introduced in Board for consideration on April 8, 1991.)

Adopted.

[Commendation]

Resolution commending the Center for Special Problems for their work in the treatment of child sexual offenders and in honor of becoming a semi-finalist in the 1991 Innovations Award Program sponsored by the Ford Foundation and the Kennedy School of Government at Harvard University. (Supervisor Achtenberg)

File 4-91-11, Resolution No. 302-91

(April 1, 1991 - Introduced in Board for consideration on April 8, 1991.)

Adopted.

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The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Shelley, Ward - 6.

Absent: Supervisors Britt, Gonzalez, Kennedy, Maher, Migden - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-14, Resolution No. 315-91

(Willie B. Kennedy, member, Board of Supervisors, April 19 - 28; James Bouskos, member, Port Commission, April 3 - 9, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolution submitted after preparation of the Calendar.)

[Proclamation]

Resolution recognizing the importance of National Library Week and urging the Mayor to proclaim the week of April 14-20, 1991 "Library Week" in San Francisco.

File 4-91-12, Resolution No. 316-91

Supervisor Migden presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Shelley, Ward - 6.

Absent: Supervisors Britt, Gonzalez, Kennedy, Maher, Migden - 5.



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OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Hazardous Materials]

Ordinance amending Health Code by amending Section 1120.1 to require plans for reducing the use of hazardous materials and the generation of hazardous waste to be submitted as part of an establishment's hazardous materials permit. (Supervisor Kennedy presented.)  
Referred to City Services Committee.

File 118-91-2

Referred to Board

[Commendation]

Resolution commending Keller and Gannon on the occasion of their fiftieth anniversary of doing business in San Francisco. (Supervisor Hsieh presented.) Referred to Board April 15, 1991  
Immediate Adoption Calendar.

File 6-91-5

Referred to Committee

[Commendation]

Resolution endorsing Bank of America's newly introduced environmental program and congratulating their leadership in this important area and urging other businesses in San Francisco to implement similar programs. (Supervisor Alioto presented.)  
Referred to Administration and Oversight Committee.

File 6-91-6

Referred to Board

[State Legislation]

Resolution declaring the City and County of San Francisco's support for passage of AB 933 (Umberg) to permit workers' compensation recovery for injuries, disability or death to off-duty firefighters outside the State of California. (Supervisors Hsieh, Gonzalez, Shelley, Alioto presented.) Referred to Board April 15, 1991  
Immediate Adoption Calendar.

File 12-91-14

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Referred to Committee

[Federal Legislation]

Resolution endorsing the Ancient Forest Protection Act of 1991, HR 842. (Supervisors Alioto, Migden, Achtenberg, Shelley presented.) Referred to Administration and Oversight Committee.

File 13-91-6

Referred to Board

[Federal Legislation]

Resolution endorsing S 39 and HR 39 which would designate the Arctic Coastal Plain as wilderness. (Supervisor Shelley presented.) Referred to Board April 15, 1991 Immediate Adoption Calendar.

File 13-91-7

Referred to Committee

[Water Reclamation]

Resolution urging the Water Department, Public Works Department, Fire Department, Recreation and Park Department and Public Health Department to expedite completion and implementation of a reclamation master plan that includes feasible uses in the Mission Bay Project area and a cost recovery fee system; declaring that it is the Board's policy that all feasible actions be undertaken to implement a reclamation master plan. (Supervisor Maher presented.) Referred to Economic and Social Policy Committee with request it be considered at the April 16, 1991 meeting.

File 188-91-4

Requests for Hearings

File 12-91-15, By Supervisor Britt: To consider endorsing legislation which would increase tolls on the Bay Bridge and allocating revenues to regional transit agencies. Referred to Economic and Social Policy Committee.

File 114-91-5, by Supervisor Migden: To consider amending the Building Code and other relevant codes to require the retrofit of all multi-family residential buildings (R-1) with water saving devices (faucet aerators and toilet retrofit kits) within a three year period and to require the installation of these water-saving devices in all residential and commercial buildings at the point of sale. Referred to Economic and Social Policy Committee.

File 114-91-6, By Supervisor Migden: To consider amending the Building Code and other relevant codes to require dual plumbing in all newly constructed commercial buildings over a certain size. Referred to Economic and Social Policy Committee.

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File 114-91-7, By Supervisor Migden: To consider amending the Building Code and other relevant codes to require all new construction of commercial and industrial buildings which use water for cooling purposes to install cooling towers for recycling water. Referred to Economic and Social Policy Committee.

File 188-91-5, By Supervisor Migden: To consider a water reclamation ordinance which would make it the policy of the City and County that reclaimed water shall be used within its jurisdiction wherever feasible and where it is consistent with legal requirements, preservation of public health, safety and welfare and the environment. Referred to Economic and Social Policy Committee.

File 188-91-6, By Supervisor Migden: To consider establishing procedures to supplement the City's alternative water supply system with groundwater or reclaimed water as a means of citywide distribution for these water sources, while assuring the system is seismically sound and the Fire Department maintains complete control over the system and the reclaimed water meets all relevant health standards. Referred to Economic and Social Policy Committee.

File 188-91-7, By Supervisor Migden: To consider urging the Sheriff's Office to include water conservation plans in the Jail Master Plan under development and urging the Health Commission to urge the Director of Public Health to include water conservation plans in the Master Plan for Laguna Honda Hospital under development. Referred to Economic and Social Policy Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that City Attorney prepare resolution urging the Mayor to urge the Recreation and Park Commission to commit Candlestick Park surplus funds to a summer program at Candlestick Park for children and youth.

By Supervisors Britt and Alioto, that letter of inquiry be sent to the Public Utilities Commission to determine the cost to repair and replace the vandalism of billboards containing the San Francisco AIDS Foundation "Rubberman" campaign, whether anyone has been apprehended and how someone was able to have so much time in order to vandalize 16 billboards without being caught.

By Supervisor Britt, that letter of inquiry be sent to the Director of Health to determine the circumstances leading to the termination of an employee with AIDS.

By Supervisor Britt, that letters be sent to Bay Area Rapid Transit District Board of Directors Michael Bernick and James Fang asking them to support restoration of \$102,000 cut from San Francisco's request for transfer payments.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Public Works to ascertain the selection process used for the position of Division Manager, Street Use Management, Bureau of Engineering.

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By Supervisor Migden, that City Attorney prepare appropriate legislation amending the Administrative Code to require that indirect costs must be included in all grant requests and an explanation be included in the grant request if indirect costs are not included for any reason.

By Supervisor Migden, that City Attorney prepare appropriate legislation amending the Administrative Code to require submission of a "Disability Access Checklist" with all requests to apply for federal and state grants, to accept and expend federal and state grants and requests for appropriation of funds.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Mike Hippler (Supervisors Maher, Britt, Achtenberg)  
William M. Allin (Supervisor Kennedy)  
Michael Ellis Dangerfield (Supervisor Kennedy)

File 2-91-14

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:03 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

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Approved by the Board of Supervisors on January 21, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors









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No. 15

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Monday, April 15, 1991

# **Journal of Proceedings Board of Supervisors**

**City and County of San Francisco**



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 15, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 7.

Noted absent at first roll call:

Supervisors Alioto, Britt, Gonzalez, Maher - 4.

Quorum present.

Supervisor Alioto was noted present at 2:09 p.m.

Supervisor Britt was noted present at 2:14 p.m.

Supervisor Gonzalez was noted present at 2:09 p.m.

Supervisor Maher was noted present at 2:09 p.m.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Hsieh requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Consideration Continued

[Contracting Out City Services]

Resolution concurring with the Controller's certification that parking meter collection services for the Department of Parking and

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Traffic can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic)

File 25-91-9, Resolution No.

Supervisor Hsieh, seconded by Supervisor Alioto, moved to continue consideration to April 22, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

#### Consent Calendar

##### Recommendations of Finance Committee

#### Finally Passed

[Government Funding]

Ordinance appropriating \$205,262, Fire Department, for facilities maintenance project (replace fuel tank), for fiscal year 1990-91; placing \$135,300 on reserve. (Controller)

File 101-90-83, Ordinance No. 155-91

Finally passed.

[Government Funding]

Ordinance appropriating \$15,200,000, Fire Department, City Attorney, Controller and Chief Administrative Officer, for various capital improvement projects (1986 Fire Protection System Improvement Bonds), and various program project budgets, for fiscal year 1990-91; placing \$13,506,943 on reserve. (Controller)

File 101-90-84, Ordinance No. 156-91

Finally passed.

[Parking Lot Lease Documents]

Ordinance approving and adopting Seventh and Harrison Parking Lot legal documents and authorization to lease. (Real Estate Department)

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File 47-91-4, Ordinance No. 153-91

Finally passed.

[Document Fee]

Ordinance amending Administrative Code, authorizing the County Clerk to collect a documentary handling fee in the amount of \$25.00 for environmental review documents filed pursuant to California Fish and Game Code Section 711.4. (City Attorney)

File 97-91-17, Ordinance No. 154-91

(Adds Section 31.60.)

Finally passed.

[Jefferson Square]

Ordinance selecting and setting aside additional land at Central Fire Alarm Station-Jefferson Square for the construction of an emergency operations/communications center. (Real Estate Department)

File 185-91-1, Ordinance No. 157-91

Finally passed.

Adopted

[Contracting Out City Services]

Resolution concurring with the Controller's certification that security services can be practically performed at the Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services)

File 25-91-6, Resolution No. 326-91

Adopted.

[Contracting Out City Services]

Resolution concurring with the Controller's certification that security services for the Department of Parking and Traffic can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic)

File 25-91-10, Resolution No. 327-91

Adopted.

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[Federal Disaster Relief Crisis Counseling Funds]  
Resolution authorizing the Department of Public Health to apply for Federal Disaster Relief Crisis Counseling Funds, in the event of a disaster during Fiscal Year 1990-91. (Department of Public Health)

File 30-91-3, Resolution No. 328-91

Adopted.

[Short-Doyle Plan]  
Resolution approving the City and County Short-Doyle Plan for Mental Health Services in Fiscal Year 1990-91, Part B. (Department of Public Health)

File 30-91-4, Resolution No. 329-91

Adopted.

[Grant - State Funds]  
Resolution authorizing the District Attorney to apply for, accept and expend grant funds in the amount of \$236,141 made available through the California Office of Criminal Justice Planning for the operation of the Career Criminal Program for the twelve month period July 1, 1991 through June 30, 1992 and agreeing to provide cash match in the amount of \$23,614. (Mayor)

File 138-91-1, Resolution No. 333-91

Adopted.

[Grant - State Funds]  
Resolution authorizing the District Attorney to apply for, accept and expend grant funds in the amount of \$74,002 made available through the California Office of Criminal Justice Planning for a project entitled "Gang Violence Suppression Program" for the twelve month period July 1, 1991 through June 30, 1992 and agreeing to provide cash match in the amount of \$24,667. (Mayor)

File 138-91-2, Resolution No. 334-91

Adopted.

Recommendation of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]  
Ordinance authorizing settlement of litigation of Jennifer Hsu against the City and County by payment of \$6,200. (City Attorney)

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File 45-91-17, Ordinance No.

(Superior Court No. 875-329)

Passed for second reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

(Supervisor Kennedy was not present during the public hearing.)

[Affirming Conditional Use Authorization]  
Motion adopting findings related to the appeal of the City Planning Commission's decision approving Conditional Use Application No. 90.405EC authorizing a density bonus to allow construction of as many as 18 affordable residential units on property at 16th and Church Streets.

File 37-91-1.4

Supervisor Kennedy Excused From Voting

Supervisor Kennedy requested to be excused from voting.

Thereupon, Supervisor Britt, seconded by Supervisor Hsieh, moved to excuse Supervisor Kennedy from voting.

Motion to excuse Supervisor Kennedy adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

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Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley - 7.

Noes: Supervisors Hsieh, Maher - 2.

Excused: Supervisor Kennedy - 1.

Absent: Supervisor Ward - 1.

The President reassumed the Chair.

Recommendation of Finance Committee

Passed for Second Reading as Amended

[Lease]

Ordinance approving lease with Service Engineering Co. for occupancy of Pier 50 and termination of lease at Piers ((38)) 36 and ((40)) 38, controlled by the Port Commission. (Supervisor Gonzalez)

File 173-91-2, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend title, line three, and line 25 by replacing "38 and 40" with "36 and 38".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendation of Economic and Social Policy Committee

Adopted

[Ritz-Carlton Hotel Labor Force]

Resolution welcoming the Ritz-Carlton Hotel to San Francisco and urging the Ritz-Carlton to draw from the San Francisco based labor force, particularly residents of color, in meeting its hiring needs at all levels of the Hotel's personnel organization. (Supervisors Ward, Achtenberg, Kennedy, Alioto, Britt, Gonzalez, Migden, Shelley)

File 176-91-1, Resolution No. 337-91



Monday, April 15, 1991

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

From Administration and Oversight Committee  
Without Recommendation

Consideration Continued

[Annual Salary Standardization Ordinance]

Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1991. (Civil Service Commission)

File 106-91-1, Ordinance No.

Supervisor Hsieh, seconded by Supervisor Maher, moved to refer subject legislation to the Civil Service Commission with direction to report back to the Board within 30 days.

In response to Supervisor Britt's inquiry what steps the Board could take to accomplish whatever technical corrections might be appropriate without creating a legal problem, Deputy City Attorney Ted Lakey stated the Board had previously extended the date for the Board's consideration through April 29, 1991 and is concerned that if the Board chooses to send this matter back to the Finance Committee or Civil Service Commission, it is very likely this item would not get back before the Board in time in order for the Board to act prior to April 29. Under the charter, this would constitute a rejection and the Board, by motion, could extend it for 60 days.

In response to Supervisor Gonzalez, John Walsh, General Manager, Civil Service, indicated if the matter was referred to him he would notify the Employee Relations Representative that the department is taking another look at the data. Mr. Walsh felt that the errors noted in Harvey Rose's report are so inconsequential it would not change the salary standardization ordinance.

Supervisor Gonzalez, seconded by Supervisor Britt, moved to substitute motion to continue consideration April 22, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Monday, April 15, 1991

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$11,497,197, Police Department, Controller, City Attorney and Chief Administrative Officer, for facilities maintenance project (various Police facilities improvement), \$15,000 for financial advisor, \$10,000 for bond counsel and \$1,575 for coordination services, for fiscal year 1990-91; placing \$9,217,612 on reserve. (Controller)

File 101-90-86, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Rereferred to Committee

[Garage Lease Documents]

Ordinance approving and adopting Golden Gateway Parking Garage at 250 Clay Street legal documents and authorization to lease. (Real Estate Department)

File 47-91-5, Ordinance no.

Supervisor Hallinan, seconded by Supervisor Britt, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Passed for Second Reading

[Performing Arts Loan Program]

Ordinance amending Administrative Code, to clarify eligibility and conditions for administration of the Non-Profit Performing Arts Loan Program. (Supervisor Kennedy)

File 97-91-14, Ordinance No.

(Amends Sections 50.1, 50.2, 50.12, 50.21, 50.22, 50.24 and 50.26.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Monday, April 15, 1991

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Alioto - 1.

Adopted

[Performing Arts Loan Program]

Resolution approving rules and regulations as amended for administration of the Nonprofit Performing Arts Program; companion measure to File 97-91-14. (Supervisor Kennedy)

File 197-91-2, Resolution No. 338-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Alioto - 1.

Passed for Second Reading

[Official Memberships]

Ordinance amending Administrative Code, to add six organizations and delete one organization from the membership list of the Department of Public Works. (Department of Public Works)

File 97-91-23, Ordinance No.

(Amends Section 16.6-9.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

Adopted

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Central Office, Community Public Health and Community Mental Health Services, to accept and expend in Fiscal Year 1990-91 funds of up to \$700,000 from the State Department of Health Services, State Legalization Impact Assistance Grant (SLIAG), for unreimbursed public health care costs of persons who are legalized pursuant to the provisions of the Immigration Reform and Control Act (IRCA). (Mayor)

File 146-91-30, Resolution No. 335-91

Monday, April 15, 1991

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

(Supervisor Maher dissenting in Committee.)

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jeffrey Yang against the City and County by payment of \$110,000. (City Attorney)

File 45-91-16, Ordinance No.

(San Mateo Superior Court No. 352-010.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisor Maher - 1.

Absent: Supervisor Alioto - 1.

Adopted

[Appointment]

Resolution appointing member to the Task Force on Transfer Benefits, for the term ending upon completion of report to Mayor and Board of Supervisors. (Administration and Oversight Committee)

File 92-90-26.2, Resolution No. 332-91

(Doug Franks, representing person with catastrophic illness.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

[Appointment]

Resolution appointing member to the Advisory Council to the Commission on the Aging, for two-year term ending March 31, 1993. (Administration and Oversight Committee)

Monday, April 15, 1991

File 92-91-2.2, Resolution No. 330-91

(Arthur Huiwith, vice himself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

[Appointment]

Resolution appointing member to the Task Force on Large-Scale Drug Stores, for term ending six months after first meeting of Task Force. (Administration and Oversight Committee)

File 92-91-11.1, Resolution No. 331-91

(Robert S. Arenson, Walgreen Drug Co. - category f.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

Consideration Continued

(Supervisor Maher dissenting in Committee.)

[Budget Analyst's Management Audits and Special Projects]

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 5.9, Budget Analyst's Management Audits and Special Projects. (Supervisor Hallinan)

File 165-91-1

(Rule 1.3 of the Board of Supervisors' Rules of Order provides that an amendment to the Rules may, after one week's notice given by inclusion in the Board Calendar, be adopted by an affirmative recorded vote of two-thirds of all members of the Board.

In accordance therewith, consideration appropriately may be continued at least one week.)

Supervisor Britt, seconded by Supervisor Kennedy, moved to continue consideration to April 22, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Monday, April 15, 1991

Absent: Supervisor Alioto - 1.

Recommendation of City Services Committee

Adopted

[Ballpark Advisory Committee]

Resolution creating a Ballpark Advisory Committee to solicit and review proposals for the purpose of retaining the San Francisco Giants Baseball Team in San Francisco, and to report to the Board of Supervisors on its findings within six months. (Supervisor Alioto)

File 174-90-8, Resolution No. 336-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendation of Economic and Social Policy Committee

Rereferred to Committee

[Moratorium]

Draft ordinance establishing a moratorium on nail shops along the Upper Fillmore commercial corridor for one year. (Supervisors Maher, Kennedy)

File 110-91-1, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Alioto, Britt - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13023, dated February 21, 1991, approving a Conditional Use Application No. 88.649C, authorizing demolition of an existing, mixed use building containing a second floor dwelling unit and the disapproval of a conditional use authorization to construct a new mixed use building without required residential

Monday, April 15, 1991

off-street parking within an NC-2 (Small Scale) Neighborhood  
Commercial District of property located at 624 Taraval Street.

File 37-91-3

(Appeal filed March 20, 1991.)

(Categorically exempt from environmental review.)

The following persons were sworn in and granted privilege of the  
floor:

Appellants:

Howard Strasner;  
Jackie Gordon;  
Evelyn Wilson;  
MaryAnne Miller;  
Vivian Goodwin;  
Margaret Seagall;  
Mrs. Hu;  
Edith McMillan;  
John Bardis;  
Jeanette Tyson;  
Elizabeth Hu;  
Stanley Power.

Respondents:

Bob Passmore, representing City Planning Commission and  
Department of City Planning;  
Alice Barkley;  
Bernadette Naughton;  
Joe O'Donoghue;  
Elizabeth Naughton;  
George Gulbengay.

A rebuttal period was allowed.

The President then declared the hearing closed.

From the Clerk

Refused Adoption

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its  
Motion No. 13023, approving Application No. 88.649C, for conditional  
use of property at 624 Taraval Street and disapproval of conditional  
use authorization to construct a new mixed use building without  
required residential off-street parking.

File 37-91-3.1

Monday, April 15, 1991

Supervisor Kennedy, seconded by Supervisor Gonzalez, moved adoption.

Motion refused adoption by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hsieh, Kennedy, Ward - 5.

Noes: Supervisors Achtenberg, Britt, Hallinan, Maher, Migden, Shelley - 6.

#### Refused Adoption

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13023, approving Application No. 88.649C, for conditional use of property at 624 Taraval Street and disapproval of conditional use authorization to construct a new mixed use building without required residential off-street parking.

File 37-91-3.2

Supervisor Migden, seconded by Supervisor Alioto, moved adoption.

Motion to approve failed adoption by the following vote:

Ayes: Supervisors Achtenberg, Britt, Hallinan, Maher, Migden, Shelley - 6.

Noes: Supervisors Alioto, Gonzalez, Hsieh, Kennedy, Ward - 5.

#### Tabled

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use of property at 624 Taraval Street.

File 37-91-3.3

Supervisor Kennedy, seconded by Supervisor Maher, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Emperor Arcadia;  
Danny Anderson;  
Dehnert Queen.



Monday, April 15, 1991

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commendation]

Resolution commending Keller and Gannon on the occasion of their fiftieth anniversary of doing business in San Francisco.  
(Supervisor Hsieh)

File 6-91-5, Resolution No. 324-91

(April 8, 1991 - Introduced in Board for consideration on  
April 15, 1991.)

Adopted.

[State Legislation]

Resolution declaring the City and County support for passage of AB 933 (Umberg) to permit workers' compensation recovery for injuries, disability or death to off duty firefighters outside the State of California. (Supervisors Hsieh, Gonzalez, Shelley, Alioto)

File 12-91-14, Resolution No. 364-91

(April 8, 1991 - Introduced in Board for consideration on  
April 15, 1991.)

Adopted.

[Federal Legislation]

Resolution endorsing S 39 and HR 39 which would designate the Arctic Coastal Plain as wilderness. (Supervisor Shelley)

File 13-91-7, Resolution No. 325-91

(April 8, 1991 - Introduced in Board for consideration on  
April 15, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Monday, April 15, 1991

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Migden, Ward - 6.

Absent: Supervisors Alioto, Britt, Kennedy, Maher, Shelley - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-15, Resolution No. 318-91

(Tom Hsieh, member, Board of Supervisors, April 23 - 24 and 26 - 29; Jeff Brown, Public Defender, April 9 - 12; Mary E. Burns, General Manager, Recreation & Park Department, April 23 - 30; Dale Carlson, member, Public Library Commission, April 10 - 14; Marylin Chow, President, Social Services Commission April 15 - 17; Rina Cutler, Executive Director, Parking & Traffic, April 11 - 13; Kenneth Dowlin, City Librarian, April 18 - 25; Thomas J. Elzey, General Manager, Public Utilities Commission, April 14 - 17; Leonard Graff, member, Human Rights Commission, April 18 - 22; May Jaber, member, Human Rights Commission, April 16 - 22; Clare Murphy, General Manager, Employees' Retirement System, June 24 - 27; Arlo Smith, District Attorney, May 18 - 22; Roselyn Swig, member, Public Library Commission, April 14 - 30, 1991.)

Adopted.

[April 24, 1991 as Victims Rights Day]

Resolution commending the Justice for Murder Victims program for their outstanding efforts in helping victims of violent crimes, and urging his honor, the Mayor to declare April 24, 1991 as "Victims Rights Day in San Francisco." (Supervisor Maher)

File 4-91-13, Resolution No. 319-91

Adopted.

[Tobacco Awareness Week]

Resolution urging the Mayor to declare April 21 through April 28, 1991, San Francisco Tobacco Awareness Week. (Supervisor Alioto)

Monday, April 15, 1991

File 4-91-14, Resolution No. 320-91

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Fulton Street to allow for setting up of carnival rides for the Cinco de Mayo celebration sponsored by Mission Economic and Cultural Association. (Supervisor Gonzalez)

File 42-91-14, Resolution No. 321-91

(Fulton Street, between Larkin and Hyde Streets, from 9:00 a.m. on Wednesday, May 1, 1991 to 5:30 p.m. on Friday, May 3, 1991.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Ellis Street, for a street fair celebrating Cinco de Mayo to benefit the Hispanic Community Fund, sponsored by Corona Bar and Grill; and providing for insurance. (Supervisor Gonzalez)

File 42-91-15, Resolution No. 321-91

(Ellis Street, between Powell and Cyril Magnin Streets, from 4:00 a.m. to 8:00 p.m. on Sunday, May 5, 1991.)

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Migden, Ward - 6.

Absent: Supervisors Alioto, Britt, Kennedy, Maher, Shelley - 5.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of John L. Larson

Monday, April 15, 1991

against Samuel Duca, Assessor, by payment of \$35,000. (Supervisor Britt presented.) Referred to Administration and Oversight Committee with request it be considered at the April 23, 1991 meeting.

File 45-91-19

Referred to Board

[Earth Day, 1991]

Resolution recognizing April 22, 1991 as Earth Day and April 27, 1991 as People's Earth Day in Bayview Hunters Point and calling on the U.S. Senate to enact a National Sustainable Energy Policy and the residents of San Francisco to contribute to a healthier environment. (Supervisors Shelley, Kennedy, Gonzalez, Alioto, Maher, Achtenberg, Migden, Hallinan presented.) Referred to Board April 22, 1991 Immediate Adoption Calendar.

File 4-91-15

Referred to Committee

[State Legislation]

Resolution urging passage of AB 184 regulating the display and sale of pornographic material through vending machines which are not supervised by an adult.

File 12-91-16

Supervisor Kennedy presented for immediate adoption.

At the request of Supervisor Hallinan, referred to Economic and Social Policy Committee.

[Lease]

Resolution authorizing and approving lease of City property located at 762 Fulton Street, Assessor's Block 781, Lots 10 and 34, formerly known as the Western Addition Community Cultural Center, to Center for African and African American Art and Culture as lessee. (Supervisor Kennedy presented.) Referred to Finance Committee.

File 65-91-2

Referred to Board

[Summer Food Program]

Resolution authorizing the Mayor to apply for, accept and expend \$946,483 from the United States Department of Agriculture for a summer food service program for needy children. (Supervisor Gonzalez presented.) Referred to Board April 22, 1991 Immediate Adoption Calendar.

File 68-91-2

Monday, April 15, 1991

Referred to Committee

[BARTD Transfer Payments to MUNI]

Resolution requesting the Board of Directors of the Bay Area Rapid Transit District to reconsider its decision to reduce Muni's allocation of AB 842 funds for 1990-91 by \$102,000 and to reinstate these funds to Muni for the remainder of 1990-91.

File 80-91-1

Supervisor Britt presented for immediate adoption.

At the request of Supervisor Hsieh, referred to Finance Committee.

[Appointments]

Draft resolution approving appointment of various individuals to the Port of San Francisco's Waterfront Plan Advisory Board. (Supervisor Ward presented.) Referred to Administration and Oversight Committee.

File 92-91-16

[Newspaper Carriers]

Resolution urging the San Francisco Newspaper Association to continue its youth carrier employment program. (Supervisor Migden presented.) Referred to Economic and Social Policy Committee.

File 194-91-1

Requests for Hearings

File 100-91-2.2, By Supervisor Hallinan: To consider the Board of Supervisors 1991-92 Budget to determine what items can be cut and still maintain its current services to the City. Referred to Administration and Oversight Committee with request it be considered at the April 23, 1991 meeting.

File 205-91-1, By Supervisor Alioto: To consider the Final Environmental Impact Statement (FEIS) for the closure of the Presidio Army Base of San Francisco and its impact on the community (hazardous and toxic waste, sewer and water lines on the site, etc.) Referred to Economic and Social Policy Committee.

File 221-91-1, By Supervisor Achtenberg: To consider urging the Mayor to urge the Water Department to set aside money from its capital budget to create an Office of Water Recycling (Reclamation). Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

Monday, April 15, 1991

By Supervisor Achtenberg, that City Attorney prepare resolution urging the Mayor to urge the Water Department to set aside money from their capital budget to create an Office of Water Recycling (Reclamation).

By Supervisor Alioto, that Budget Analyst prepare report on the amount of revenue loss to the City if residential care facilities are exempted from the business tax, payroll tax and property tax.

By Supervisor Alioto, that City Attorney prepare ordinance banning cigarette vending machines in all places, except where minors are not allowed; e.g. bars.

By Supervisors Britt, Gonzalez, Maher that City Attorney be requested to review and comment on whether the City's current fiscal situation justifies consideration of an emergency and possible suspension of Section 6.408 of the Charter in order to use \$41,303,450 unappropriated revenues of the Airport, as suggested by Senator Quentin L. Kopp in his letter dated March 29, 1991.

By Supervisor Hallinan, that City Attorney prepare ordinance which would impose two and one-half (2 1/2) percent surtax on professional sports at Candlestick Park to provide money for financing middle and high school sports next year.

By Supervisor Kennedy, that letter be sent to the Health Commission requesting re-evaluation of the 1991-92 baseline budget relating to outpatient care at San Francisco General Hospital.

By Supervisor Kennedy, that letter be sent to Director of Public Works requesting on-site investigation of work being done on Lincoln Way relative to poorly compacted surfaces and voids at the joint between passes of the paving machine.

By Supervisor Kennedy, that City Attorney prepare resolution supporting Senate Bill 1184, relating to tourism.

By Supervisor Migden, that letter of inquiry be sent to the Retirement System Board to determine the reason to vote against an AT&T Corporation shareholder's proposal to direct the AT&T Foundation to resume annual contributions to the Planned Parenthood Federation for teenage pregnancy prevention programs and what was the criteria used in making decisions on how to cast the Retirement System's shareholder's votes on significant policy questions.

By Supervisor Ward, that City Attorney prepare resolution urging the Mayor to urge the Department of Social Services to initiate a food voucher program that would allow the recipients to receive food vouchers and exchange them for food at eating establishments and grocery stores.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Monday, April 15, 1991

Fedonia Hall (Supervisor Ward)  
Charles Santana (Supervisor Gonzalez on behalf of the entire  
Board)

File 2-91-15

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of  
5:26 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by  
the Board of Supervisors on the matters stated, but not  
necessarily the chronological sequence in which the matters  
were taken up.

Monday, April 15, 1991

Approved by the Board of Supervisors on January 21, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors











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No. 16

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Monday, April 22, 1991

# Journal of Proceedings Board of Supervisors

City and County of San Francisco



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

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Monday, April 22, 1991 - 2:00 p.m.

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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Hallinan, Hsieh, Migden, Shelley, Ward - 7.

Noted absent at first roll call:

Supervisors Alioto, Gonzalez, Kennedy, Maher - 4.

Quorum present.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Alioto was noted present at 2:12 p.m.

Supervisor Gonzalez was noted present at 2:16 p.m.

Supervisor Maher was noted present at 2:12 p.m.

CONSENT CALENDAR

Recommendation of Finance Committee

Finally Passed

[Official Memberships]

Ordinance amending Administrative Code, to add six organizations and delete one organization from the membership list of the Department of Public Works. (Department of Public Works)

File 97-91-23, Ordinance No. 161-91

(Amends Section 16.6-9.)

Monday, April 22, 1991

Finally passed.

Adopted

[Contracting Out City Services]

Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport can be performed by private contractor at a lower cost for the year commencing July 1, 1991 than if work were performed by City and County employees. (Airports Commission)

File 25-91-11, Resolution No. 354-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of \$225,000 from the Department of Health and Human Services Centers for Disease Control, to continue funding the AIDS Surveillance Expanded Initiatives and Evaluation Project for the residents of San Francisco. (Mayor)

File 146-91-31, Resolution No. 360-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau to apply for a grant of \$450,000 from the State Department of Health Services, Maternal Child Health Branch for perinatal services for the residents of San Francisco. (Mayor)

File 146-91-32, Resolution No. 361-91

Adopted.

Recommendation of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jennifer Hsu against the City and County by payment of \$6,200. (City Attorney)

File 45-91-17, Ordinance No. 159-91

(Superior Court No. 875-329)

Finally passed.



Monday, April 22, 1991

Recommendations of Economic and Social Policy Committee

Adopted

[Taxicab Stands]

Resolution establishing and rescinding taxicab stands, various streets. (Economic and Social Policy Committee)

File 15-91-4, Resolution No. 346-91

(Taxi Zone Rescind

1001 California Street, south side, from 57 feet to 78 feet west of Mason Street (21 foot zone).

Part Time Taxi Zone during Performances - Establish

Grove Street, south side, from Van Ness Avenue to 16 feet west (16-foot zone).

Grove Street, south side, from 30 feet to 90 feet west of Van Ness Avenue (60-foot zone at 3 meters).)

(Note: Davies Symphony Hall will be required to post free-standing signs advising of performance hours at least 72 hours prior to each performance when it wishes to have a taxi zone occupying the four spaces on the south side west of Van Ness Avenue.)

Adopted.

[Stop Intersection]

Resolution designating "Stop" intersections, various streets. (Economic and Social Policy Committee)

File 18-91-5, Resolution No. 347-91

(Stop Signs - Establish

Irving Street and 4th Avenue, northeast and southwest corners, stopping Irving Street traffic (makes this an all-way Stop).

27th Street and Douglass Street, northeast and southwest corners, stopping 27th Street traffic.

15th Street and Shotwell Street, northeast and southwest corners, stopping 15th Street traffic (makes this an all-way Stop).)

Adopted.

[Parking Regulations]

Resolution enacting and rescinding parking regulations, various streets. (Economic and Social Policy Committee)

File 19-91-3, Resolution No. 348-91

Monday, April 22, 1991

(No Parking, 8 a.m. to 4 p.m., Monday through Friday - Rescind  
400 Mansell Street (Woodrow Wilson High School), north side,  
from Somerset Street to 20 feet east (20-foot zone).

400 Mansell Street, north side, from 16 feet to 190 feet west of  
Somerset Street (174-foot zone).  
(To be replaced by a School Bus Zone)

Tow-Away No Parking Any Time - Establish  
Genessee Street, east side, between Monterey Boulevard and Joost  
Avenue.)

Adopted.

[Parking Regulations]

Resolution enacting and rescinding parking regulations, various  
streets. (Economic and Social Policy Committee)

File 19-91-4, Resolution No. 349-91

(No Parking Anytime - Rescind  
Jennings Street, west side, between Evans Avenue and Newhall  
Street.

Tow-Away, No Parking, 12 a.m. to 5 a.m., Everyday - Establish  
Jennings Street, west side, between Evans Avenue and Newhall  
Street.)

Adopted.

[Traffic Regulations]

Resolution establishing traffic regulations, various streets.  
(Economic and Social Policy Committee)

File 20-91-5, Resolution No. 350-91

(Tow-Away No Stopping Any Time - Establish  
San Jose Avenue, east side, from Brooks Street to 50 feet north  
(50-foot zone).

San Jose Avenue, east side, from Milton Street to Randall Street  
(2,500-foot zone).

San Jose Avenue, west side, from Randall Street to 2,400 feet  
south (2,400-foot zone).

Tow-Away No Stopping, 7 a.m. to 6 p.m., Weekdays - Establish  
3rd Street, east side, from Folsom Street to 100 feet south  
(100-foot zone).

Right Turn Only - Establish  
Hampshire Street, northbound, at Army Street.

Monday, April 22, 1991

No Left or U Turn - Establish  
Bayshore Boulevard, southbound, at Blanken Avenue/Arleta Avenue.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Alioto, Gonzalez, Kennedy - 3.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendations of Finance Committee

#### Finally Passed

##### [Government Funding]

Ordinance appropriating \$11,497,197, Police Department, Controller, City Attorney and Chief Administrative Officer, for facilities maintenance project (various police facilities improvement), \$15,000 for financial advisor, \$10,000 for bond counsel and \$1,575 for coordination services, for fiscal year 1990-91; placing \$9,217,612 on reserve. (Controller)

File 101-90-86, Ordinance No. 162-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

##### [Performing Arts Loan Program]

Ordinance amending Administrative Code, to clarify eligibility and conditions for administration of the Non-Profit Performing Arts Loan Program. (Supervisor Kennedy)

File 97-91-14, Ordinance No. 160-91

(Amends Sections 50.1, 50.2, 50.12, 50.21, 50.22, 50.24 and 50.26.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Maher, Migden, Shelley, Ward - 8.

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Noes: Supervisor Hsieh - 1.

Absent: Supervisors Gonzalez, Kennedy - 2.

[Lease]

Ordinance approving lease with Service Engineering Co. for occupancy of Pier 50 and termination of lease at Piers 36 and 38, controlled by the Port Commission. (Supervisor Gonzalez)

File 173-91-2, Ordinance No. 163-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Ward - 8.

Absent: Supervisors Gonzalez, Kennedy, Shelley - 3.

Adopted

[Contracting Out City Services]

Resolution concurring with the Controller's certification that parking meter collection services for the Department of Parking and Traffic can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic)

File 25-91-9, Resolution No. 353-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Administration and Oversight Committee

Finally Passed

(Supervisor Maher dissenting in Committee.)

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jeffrey Yang against the City and County by payment of \$110,000. (City Attorney)

File 45-91-16, Ordinance No. 158-91

(San Mateo Superior Court No. 352-010.)

Finally passed by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden, Shelley, Ward - 9.

Noes: Supervisor Maher - 1.

Absent: Supervisor Kennedy - 1.

Consideration Continued

(Supervisor Maher dissenting in Committee.)

[Budget Analyst's Management Audits and Special Projects]  
Motion amending the Rules of Order of the Board of Supervisors by adding Rule 5.9, Budget Analyst's Management Audits and Special Projects. (Supervisor Hallinan)

File 165-91-1

Appointment of President Pro Tempore

At the request of the President, Supervisor Britt assumed the Chair so the President could participate in the debate from the floor.

After a period of debate, Supervisor Ward, seconded by Supervisor Hsieh, moved to continue consideration to April 29, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Kennedy - 1.

From Administration and Oversight Committee  
Without Recommendation

Passed for Second Reading as Amended

[Annual Salary Standardization Ordinance]  
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1991. (Civil Service Commission)

File 106-91-1, Ordinance No.

(The Board of Supervisors on March 18, 1991 by Motion extended to and including April 22, 1991, the date for passage for second reading and extended to and including April 29, 1991 the date for final adoption.)

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Supervisor Achtenberg, seconded by Supervisor Maher, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Kennedy - 1.

#### Appointment of President Pro Tempore

At the request of the Acting President, Supervisor Migden assumed the Chair.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Kennedy - 1.

The Acting President reassumed the Chair.

#### Motion Adopted

Supervisor Ward, seconded by Supervisor Maher, moved that in voting to approve the Salary Standardization Ordinance today, the Board reserves its option to approve or reject the Salary Standardization Ordinance at its next meeting on April 29, 1991; and directs the Employee Relations Division to meet and confer in earnest during the ensuing week in an attempt to reach agreement prior to April 29, 1991.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Maher, Migden, Shelley, Ward - 8.

No: Supervisor Hsieh - 1.

Absent: Supervisors Britt, Kennedy - 2.

#### NEW BUSINESS

#### Recommendations of Finance Committee

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Passed for Second Reading

[Government Funding]

Ordinance amending the Annual Appropriation Ordinance (Ordinance No. 258-90) to delete reserve for capital items. (Controller)

File 101-90-1.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

[Airport Lease Modification]

Ordinance approving Modification No. 10 of Lease Agreement between United Air Lines, Inc. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-91-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Ward - 8.

Absent: Supervisors Britt, Kennedy, Shelley - 3.

Consideration Continued

[Environmental Review Fees]

Ordinance amending the Administrative Code, concerning fees for environmental review procedures; setting operative dates and providing for review and report. (Supervisor Ward)

File 97-91-2, Ordinance No.

(Adds Section 31.46A.;  
Amends Section 31.46.)

Supervisor Hallinan, seconded by Supervisor Migden, moved to continue consideration to April 29, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

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[Planning Fees]

Ordinance amending City Planning Code, to impose new fees; and change the amount of fees currently charged relating to Department of City Planning actions including the review of planning authorizations; setting operative dates and providing for review and report. (Supervisor Ward)

File 115-91-1, Ordinance No.

(Amends Article 3.5;

Adds Article 3.5A, and new Section 364.)

Supervisor Hallinan, seconded by Supervisor Migden, moved to continue consideration to April 29, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

Adopted

[Grant - Amendment to State Funds]

Resolution authorizing an amendment to the Mayor's Criminal Justice Council of the City and County of San Francisco's AB 90 Program Budget totalling \$825,746 from the California Youth Authority for the 1990/91 "County Justice System Subvention Program (CJSSP)" previously approved by Resolution No. 736-90 and authorizing an adjustment to the budget categories previously approved by the Board of Supervisors. (Mayor)

File 68-90-15.1, Resolution No. 358-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

Adopted as Amended

[Grant - Federal Funds]

((Resolution amending Resolution 66-91, authorizing the Department of Public Health, AIDS Office, to accept and expend a grant not to exceed \$7,000,000 from the Health Resources and Services Administration to fund the Comprehensive AIDS Resources Emergency (CARE) Disaster Relief Grant Program, to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of patient care services and to grant care program funds to San Mateo and Marin Counties; placing \$650,000 on reserve.)) (Mayor)

Resolution authorizing grant of \$6,319,965 from the Health Resources and Services Administration, to fund the Comprehensive AIDS



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Resources Emergency (CARE) Disaster Relief Supplemental Grant Project and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of patient care services and to grant CARE program funds to San Mateo and Marin Counties, placing \$650,000 on reserve.

File 146-90-109.1, Resolution No. 362-91

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved an amendment of whole entitled "Resolution authorizing the Department of Public Health, AIDS Office to accept and expend a grant of \$6,319,965 from the Health Resources and Services Administration, to fund the Comprehensive AIDS Resources Emergency (CARE) Disaster Relief Supplemental Grant Project and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of patient care services and to grant CARE program funds to San Mateo and Marin Counties, placing \$650,000 on reserve."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

Adopted

[Claim Against the Government]

Resolution waiving the Statute of Limitations with respect to payment of certain warrant of the City and County, to Joseph D. Driscoll, in the amount of \$21.06, a legal obligation of the City and County. (Fire Department)

File 23-91-1, Resolution No. 351-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

[Claim Against the Government]

Resolution waiving the Statute of Limitations with respect to payment of certain warrant of the City and County, to Paul W. Hobson, in the amount of \$310.00, a legal obligation of the City and County. (Fire Department)

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File 23-91-2, Resolution No. 352-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

[Airport - Emergency Repair]

Resolution approving a declaration of emergency, Plot 50A emergency repair of drainage system - Airport Contract No. 3005 - San Francisco International Airport - \$45,000. (Airports Commission)

File 28-91-4, Resolution No. 344-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

[D.U.I. First Offense Service Agreements]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services to enter into agreements with various agencies to provide services to persons convicted of first offense driving under the influence of alcohol and/or drugs at no cost to the City and County; authorizing the Department of Public Health to administer services; providing for ratification of action previously taken. (Department of Public Health)

File 30-91-5, Resolution No. 355-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Division of Community Public Health Services, to accept and expend as subgrantee, with the San Francisco Medical Center Outpatient Improvement Program as prime grantee, a grant of \$86,127 from the Health Resources and Services Administration for HIV-related services in the community to the residents of San Francisco. (Mayor)

File 146-91-18, Resolution No. 359-91

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Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

[Agreement]

Resolution authorizing the Director of Property to execute an agreement with the State of California, Department of Transportation providing for the possession of State Parcel Numbers DD-38276-01-01 and DD-38879-01-01, also known as a portion of Assessor's Block 3794 and 3742, and to accept property deeds on behalf of the City and County of San Francisco from the State of California for subject property pursuant to Senate Bill 2005 as required for construction of the Embarcadero Surface Roadway and other waterfront transportation projects. (Real Estate Department)

File 272-91-2, Resolution No. 323-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

Recommendations of City Services Committee

Passed for Second Reading

[Victims of Violence Advisory Committee]

Ordinance amending Administrative Code, to establish the Victims of Violence Advisory Committee. (Supervisor Gonzalez)

File 97-91-12, Ordinance No.

(Adds Chapter 36A.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

Adopted as Amended

[Permit]

Resolution granting revocable permission to Russian Hill Investors to construct a garage entrance through the existing landscape

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embankment for townhouses at 1035, 1039 and 1045 Vallejo Street (Block 150, Lot 42); and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-91-3, Resolution No. 345-91

Supervisor Hallinan, seconded by Supervisor Migden, moved to amend page three, Line 16, to add a new further provided clause as follows: "FURTHER PROVIDED, That reasonable ingress and egress on Vallejo Street be maintained at all times during construction and operation of the garage entrance."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Kennedy - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Migden, Shelley, Ward - 7.

Absent: Supervisors Britt, Gonzalez, Kennedy, Maher - 4.

Adopted

[Water Rationing]  
Resolution urging the Mayor to urge the Public Utilities Commission to suspend its 45 percent water rationing program, and reinstitute the 25 percent water rationing program, and to develop within 30 days a permanent water conservation plan. (Supervisors Gonzalez, Alioto, Hsieh, Migden)

File 188-91-3, Resolution No. 363-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

Recommendations of Economic and Social Policy Committee

Adopted as Amended

[Street Closing]  
((Resolution authorizing temporary closing of portion of Third Street, for a "Earth Day Celebration"; and providing for insurance.)) (Supervisors Ward, Alioto)

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Resolution authorizing temporary closing of portions of Mendell Street, Newcomb Avenue, and Oakdale Avenue for an "Earth Day" Celebration"; and providing for insurance.

File 42-91-11, Resolution No. 356-91

(Mendell Street, between Oakdale Avenue and Third Street; Newcomb Avenue 300 feet east of Third Street; and Oakdale Avenue 300 feet east of Third Street, ((Third Street, between Palou and Revere Streets,)) from 10:00 a.m. to 5:00 p.m. on Saturday, April 27, 1991.)

Supervisor Migden, seconded by Supervisor Hsieh, moved to amend to reflect closing portions of Mendell Street, Newcomb Avenue and Oakdale Avenue as follows:

Amend page one, line 5, after "temporary closing of" by deleting "a"; after "portion" insert "s"; line 6, by striking "Third Street" and substituting "various streets"; line 11, after "Parking and Traffic" by striking "and the" and substituting ","; line 12, after "Railway" by inserting "and the San Francisco Police Department"; after "opposite" by inserting "d"; after "because" by striking "both" and substituting "the"; line 13, after "departments" by striking "feel" and substituting "believed"; after "that" by striking "this will" and substituting "closing would"; line 14, after "a major street and" by deleting "that"; by deleting Lines 17 through 23 and adding "WHEREAS, The San Francisco Police Department has selected an alternate site for the "Earth Day Celebration", and the Department feels that the use of these newly selected streets will eliminate traffic concerns and other inconveniences which would result from the proposed original temporary street closing of Third Street; now, therefore, be it";

Amend page two, line one, by deleting "resolved"; and

Amend page two, by deleting lines 4 through 5 and adding "Mendell Street, between Oakdale Avenue and Third Street; Newcomb Avenue 300 feet east of Third Street; and Oakdale Avenue 300 feet east of Third Street from 10:00 a.m. to 5:00 p.m. on Saturday, April 27, 1991, for an "Earth Day Celebration";".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Maher, Migden, Ward - 6.

Noes: Supervisors Achtenberg, Gonzalez, Shelley - 3.

Absent: Supervisors Britt, Kennedy - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

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Adopted

[Replacing Central Freeway]

Resolution urging the California Department of Transportation to consider the demolition and replacement of the elevated portion of the Central Freeway rather than retrofit the freeway and urging the preparation of an Environmental Impact Report. (Supervisors Maher, Alioto)

File 171-91-3, Resolution No. 389-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Maher, Migden, Shelley - 6.

Noes: Supervisors Hallinan, Hsieh, Ward - 3.

Absent: Supervisors Britt, Kennedy - 2.

From the Clerk

Adopted as Amended

[Condominium Project]

Motion approving final map of 680 Capp Street, a condominium project, being a resubdivision of Lot 42 in Assessor's Block 3615; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-13

Supervisor Achtenberg, seconded by Supervisor Maher, moved to amend line nine, by deleting "380" and inserting "680".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Kennedy - 1.

[Condominium Project]

Motion approving final map of 3845 Noriega Street, a condominium

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project, being a resubdivision of Lot 54 in Assessor's Block 2082; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-14

Supervisor Achtenberg, seconded by Supervisor Maher, moved to amend line five, by deleting "3945" and inserting "3845".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Kennedy - 1.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Don Bertone;  
Edith McMillan.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Earth Day, 1991]

Resolution recognizing April 22, 1991 as Earth Day and April 27, 1991 as People's Earth Day in Bayview Hunters Point and calling on the U.S. Senate to enact a National Sustainable Energy Policy and the residents of San Francisco to contribute to a healthier environment. (Supervisors Shelley, Kennedy, Gonzalez, Alioto, Maher, Achtenberg, Migden, Hallinan)

File 4-91-15, Resolution No. 339-91

Adopted.



[Summer Food Program]

Resolution authorizing the Mayor to apply for, accept and expend \$946,483 from the United States Department of Agriculture for a summer food service program for needy children. (Supervisors Gonzalez, Achtenberg, Ward, Migden, Shelley)

File 68-91-2, Resolution No. 357-91

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Kennedy, Maher - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-16, Resolution No. 340-91

(Louise Renne, City Attorney, April 20 - 26; Anne Halsted, member, Port Commission, April 17 - 19, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[Assembly Bill 1423 and Senate Bill 235]

Resolution urging passage of Assembly Bill 1423 and Senate Bill 235 helping to create markets for the materials collected for recycling by curbside and other recycling programs by requiring the container industry to use minimum recycled content in the production of new containers.

File 12-91-19, Resolution No. 341-91

Supervisor Kennedy, Achtenberg and Maher presented for immediate adoption.

Adopted.



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[Street Closing]

Resolution authorizing temporary closing of a portion of King Street.

File 42-91-16, Resolution No. 342-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Grant - Federal Funds]

Resolution amending Resolution No. 66-91, authorizing the San Francisco Department of Public Health AIDS Office to accept and expend a grant not to exceed \$7,000,000 from the Health Resources and Services Administration to fund the Comprehensive AIDS Resources Emergency (CARE) Disaster Relief Grant Program to authorize the expenditure of grant funds to establish and finance Civil Services positions for the provision of patient care services and to grant CARE Program funds to San Mateo and Marin Counties.

File 146-90-109.2, Resolution No. 343-91

Supervisor Migden presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Kennedy, Maher - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Membership in Organizations]

Ordinance amending the San Francisco Administrative Code by amending Section 16.6-29 representation of City and County in certain organizations - Employee's Retirement System. (Supervisor Ward presented.) Referred to Finance Committee.

File 97-91-30

[Supporting SB 1224]

Resolution supporting Senate Bill 1224 (Killea) which requires that water conservation devices be installed in all buildings by the seller at the point of sale or transfer. (Supervisor Migden presented.) Referred to Economic and Social Policy Committee.

File 12-91-17

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[AIDS Drug Approval]

Resolution urging the State to move faster to approve drugs through the State's Food and Drug Branch (FDB) Program, urging the FDB to adopt a pro-active strategy of drug testing, urging legislation to provide incentives for the approval of effective and inexpensive drugs, encouraging the continuation of the provision of AZT and Pentamidine at reasonable prices through the AIDS Drug Program, encouraging the AIDS Drug Program to expand its list of covered medications, urging the AIDS Drug Program to reorganize its drug distribution program and review its co-payment and waiver requirements and procedures, and urging the Mayor to direct the City's Lobbyist to work with the San Francisco Legislative Delegation in Sacramento to take all actions necessary and appropriate to carry out the intent of this Resolution. (Supervisor Alioto presented.) Referred to City Services Committee with request to consider at meeting of May 7, 1991.

File 12-91-18

Referred to Board

[Supporting AB 434]

Resolution supporting Assembly Bill 434, which provides local agencies with a long-term, stable funding source for programs to reduce air pollution from motor vehicles. (Supervisors Achtenberg, Shelley, Migden, Britt presented.) Referred to Board April 29, 1991 For Adoption Without Reference to Committee Calendar.

File 12-91-20

[Mount Zion Community Crisis Clinic]

Resolution urging the Mayor to include full funding in the 1991-92 Budget proposal to continue operating the Mount Zion Community Crisis Clinic on a 24-hour, 7-day per week basis, and urging the Mayor to urge the Health Commission to contract with the Mount Zion Community Crisis Clinic to continue providing 24-hour, 7-day per week emergency community psychiatric care services. (Supervisor Alioto presented.) Referred to Board April 29, 1991 For Adoption Without Reference to Committee Calendar.

File 100-91-4

Requests for Hearings

File 171-91-4, By Supervisor Gonzalez: To consider the feasibility of creating a sub-surface roadway with housing above in the present location of the Central Freeway. Referred to Economic and Social Policy Committee.

File 176-91-1.1, By Supervisor Ward: To consider welcoming the Ritz-Carlton Hotel to San Francisco; urging the Ritz-Carlton to draw from the San Francisco based labor force, particularly residents of color, in meeting its hiring needs at all levels of the hotel's personnel organization, and requesting hiring information from the Ritz-Carlton. Referred to Economic and Social Policy Committee.

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File 188-91-8, By Supervisor Migden: To consider amending the Housing Code and other relevant codes to require the installation of water saving devices (low-flow showerheads, faucet aerators, toilet retrofit kits) in all single family residential buildings within a three year period; and to require that owners of these buildings file an affidavit with the Water Department certifying completion of this installation. Referred to Economic and Social Policy Committee.

File 193-91-4, By Supervisor Maher: To consider urging the Recreation and Park Department to work with the North Beach residents and merchants, landscape architects, lighting designers and all interested parties to install lighting in Washington Square Park that will meet the aesthetic, cultural and safety needs of the North Beach community. Referred to City Services Committee.

File 211-91-1, By Supervisor Alioto: To consider the status of dredging in the San Francisco Bay and dumping off Alcatraz Island; including information on the capacity of the Alcatraz site, physical and environmental impacts, the effects on local fishing and recreation industries and Port activities, alternate disposal options and the role of the City of San Francisco in addressing these issues. Referred to City Services Committee with request to calendar for the May 21, 1991 meeting.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Hallinan, Hsieh, and Kennedy, that letter be sent to the Human Rights Commission and the Recreation and Park Commission to investigate abuses of human rights and denial of public access to City park property by City lessees for the South End Rowing Club and the Dolphin Club.

By Supervisor Kennedy, that letter be sent to the Commission on the Aging regarding the St. Francis Nutrition and Social Service Center proposal, inquiring what percentage of the Asian Community receives services, and if services are equitable according to the population or language, and inquiring whether the Commission on the Aging could provide some funding for this worthwhile needed program.

By Supervisor Kennedy, that letter be sent to the Department of Social Services inquiring whether San Francisco received (AB 1696) State Foster Care Funds, and if not, why not.

By Supervisor Kennedy, that letter be sent to the Recreation and Park Commission inquiring as to why the Giants' lease was amended to prevent the sale of box seats, does amendment prevent anyone from using the suites (box seats) for fundraising purposes? Has the Recreation and Park Department approached Mr. Bob Lurie with a proposal that the City keep the luxury suites and auction them off as a part of a fundraiser for disadvantaged children (the money to go into a fund for afterschool services)? It is possible to negotiate this with the Giants? Can the City negotiate with the Giants a way to use the suites strictly as a fundraising tool

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without interfering with the Giants own marketing plans and objectives? What is the chance that the Giants will sue the City for using the suites as a fundraiser? Will a fundraiser fall under the "sell" language of the amendment and thus be prohibited?

By Supervisor Migden, that City Attorney prepare an ordinance amending the Housing code and other relevant Codes to require the installation of water saving devices (low-flow showerheads, faucet aerators, toilet retrofit kits) in all single family residential buildings within a three year period; and to require that owners of these buildings file an affidavit with the Water Department certifying completion of this installation.

By Supervisor Ward, that City Attorney prepare resolution to consider welcoming the Ritz-Carlton Hotel to San Francisco; urging the Ritz-Carlton to draw from the San Francisco based labor force, particularly residents of color, in meeting its hiring needs at all levels of the hotel's personnel organization, and requesting hiring information from the Ritz-Carlton.

#### Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Sean O'Faolain (Supervisor Shelley)

File 2-91-16

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 5:05 p.m. adjourned.

John L. Taylor, Clerk

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N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 27, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors









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Monday, April 29, 1991

# Journal of Proceedings Board of Supervisors

City and County of San Francisco



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 29, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Noted absent at first roll call:

Supervisors Gonzalez, Maher - 2.

Quorum present.

Supervisor Gonzalez was noted present at 2:16 p.m.

Supervisor Maher was noted present at 2:18 p.m.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Airport Lease Modification]

Ordinance approving Modification No. 10 of Lease Agreement between United Air Lines, Inc. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-91-3, Ordinance No. 166-91

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$109,000, Superior Court, for architectural service, rental of property, data/word processing equipment and services of other departments - Real Estate Service, for fiscal year 1990-91. (Controller)

File 101-90-89, Ordinance No.

Passed for second reading.

Adopted

[Contracting Out City Services]

Resolution concurring with the Controller's certification that maintenance of City-owned parking lots for the Department of Parking and Traffic can be practically performed by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic)

File 25-91-12, Resolution No. 372-91

Adopted.

[Contracting Out City Services]

Resolution approving the Controller's certification that Parking Management Services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the year commencing July 1, 1991 than if work were performed by City and County employees at presently budgeted levels and assuming a salary cost of living adjustment of five percent. (Airports Commission)

File 25-91-13, Resolution No. 373-91

Adopted.

[Contracting Out City Services]

Resolution concurring with the Controller's certification that Convention Facilities Management Operation and Maintenance Services for the Chief Administrative Officer can be practically performed at Brooks Hall, Civic Auditorium and Moscone Center by private contractor for lower cost than similar work services performed by City and County employees. (Chief Administrative Officer)

File 25-91-14, Resolution No. 374-91

Adopted.

[Grant - Federal Funds]

Resolution approving Recreation and Park Department application to apply for Land and Water Conservation Funds in an amount up to

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\$300,000, for Lake Merced Perimeter Walkway Project. (Recreation and Park Department)

File 150-91-2, Resolution No. 383-91

Adopted.

Recommendation of City Services Committee

Finally Passed

[Victims of Violence Advisory Committee]  
Ordinance amending Administrative Code, to establish the Victims of Violence Advisory Committee. (Supervisor Gonzalez)

File 97-91-12, Ordinance No. 165-91

(Adds Chapter 36A.)

Finally passed.

Recommendation of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]  
Ordinance authorizing settlement of litigation of John L. Larson against Samuel Duca, Assessor of the City and County by payment of \$35,000. (Supervisor Britt)

File 45-91-19, Ordinance No.

(Superior Court No. 883-717.)

Passed for second reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Maher - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

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Finally Passed

[Government Funding]

Ordinance amending the Annual Appropriation Ordinance (Ordinance No. 258-90) to delete reserve for capital items. (Controller)

File 101-90-1.1, Ordinance No. 170-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Gonzalez, Maher - 2.

Passed for Second Reading

[Garage Lease Documents]

Ordinance approving and adopting Golden Gateway Parking Garage at 250 Clay Street legal documents and authorization to lease. (Department of Real Estate)

File 47-91-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Environmental Review Fees]

Ordinance amending the Administrative Code, concerning fees for environmental review procedures; setting operative dates and providing for review and report. (Supervisor Ward)

File 97-91-2, Ordinance No.

(Adds Section 31.46A.; Amends Section 31.46.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

[Planning Fees]

Ordinance amending City Planning Code, to impose new fees; and change the amount of fees currently charged relating to Department of City Planning actions including the review of planning authorizations; setting operative dates and providing for review and report. (Supervisor Ward)

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File 115-91-1, Ordinance No.

(Amends Article 3.5; Adds Article 3.5A, and new Section 364.)

Supervisor Hsieh, seconded by Supervisor Kennedy, moved amendments.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

Request Granted

After a period of debate, Supervisor Hsieh withdrew his motion to amend with the proviso that the City Attorney prepare a separate ordinance to amend the City Planning Code relating to planning fees according to written amendments presented by Supervisor Hsieh, including deletion of Sections 31.46A(d) and 31.46A(e).

No objection and City Attorney directed to comply.

The roll was called on the pending legislation and it was passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

The President reassumed the Chair.

Recommendation of Administration and Oversight Committee

Refused Adoption as Amended

(Supervisor Maher dissenting in Committee.)

[Budget Analyst's Management Audits and Special Projects]  
Motion amending the Rules of Order of the Board of Supervisors by adding Rule 5.9, Budget Analyst's Management Audits and Special Projects. (Supervisor Hallinan)

File 165-91-1

Supervisor Gonzalez, seconded by Supervisor Britt, moved to amend page two, lines 11 through 13 by deleting entire sentence and inserting the following: "Alternatively, if time is of the essence, any Supervisor may introduce a motion at any meeting of the full Board of Supervisors, directing the Budget Analyst to perform a management audit or a special project. The Budget Analyst shall prepare a description of the scope of work, number of hours, cost and elapsed time for the project requested prior to the next meeting of the Board of Supervisors. The motion shall then be considered

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and a vote taken at the next meeting of the full Board of Supervisors, without referral to the Administration and Oversight Committee".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Achtenberg, Maher - 2.

Refused adoption as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 7.

Noes: Supervisors Achtenberg, Hsieh, Kennedy, Maher - 4.

#### Recess

At the request of President Ward, the Board recessed at the hour of 2:47 p.m. to convene in closed session pursuant to Government Code Section 54957.6 for the purpose of receiving a report from the City's employee relations representatives on the progress of the meet and confer sessions requested by the Board on April 22, 1991, with employee groups regarding salaries and fringe benefits for City employees.

#### Reconvening of the Board

The Board, at the hour of 3:43 p.m., reconvened.

Quorum present.

#### Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City's employee relations representatives as provided in the Government Code.

#### From Administration and Oversight Committee Without Recommendation

Finally Passed

(See Journal of Proceedings of May 13, 1991 for Mayor's Disapproval.)  
[Annual Salary Standardization Ordinance]  
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the Charter



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and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1991. (Civil Service Commission)

File 106-91-1, Ordinance No.

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$3,707,215, Municipal Railway, for payment to other governments, fuel and lubricants, mandatory fringe benefits - Retirement and services of other departments - Workers Compensation, for fiscal year 1990-91. (Controller)

File 101-90-87, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

[Government Funding]

Ordinance appropriating \$2,173,801, Superior Court, for permanent salaries and related mandatory fringe benefits, fees and other compensation, travel and membership dues and rescinding \$563,830 from permanent salaries, temporary salaries, related mandatory fringe benefits, data processing/word processing professional services, data/word processing equipment maintenance, other services, fixed charges, services of other departments - Juvenile Court, services of other departments - City Mail Services and fees and other compensation, for a salary range adjustment of ten Court Commissioners, subject of previous budgetary denial for fees and

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other compensation, travel and membership dues; providing for ratification of action previously taken, Superior Court and County Clerk for fiscal year 1990-91. (Controller)

File 101-90-88, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

[Salaries and Wages]

Ordinance amending Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91), Superior Court, to provide a salary increase for Court Commissioners, effective January 1, 1991; companion measure to File 101-90-88. (Civil Service Commission)

File 102-90-19, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

Finally Passed

[Government Funding]

Ordinance appropriating \$20,965,000, Water Department, for payment to other governments and rescinding \$16,454,500 from various capital improvement projects; an emergency ordinance. (Controller)

File 101-90-95, Ordinance No. 164-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[Property Taxation]

Resolution implementing Subsection (c) of Revenue and Taxation Code Section 531.2, relating to proration of escape assessments. (Supervisor Migden)

File 12-91-13, Resolution No. 368-91

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Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Claim Against the Government]

Resolution waiving the Statute of Limitations with respect to payment of certain warrant of the City and County, to Rena A. Zimmerman, in the amount of \$270.00, a legal obligation of the City and County. (Controller)

File 23-91-2.1, Resolution No. 371-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Grant - State Funds]

Resolution authorizing the Chief Administrative Officer to apply for \$400,000 in Hazardous Waste Grant funding from the State Department of Health Services to assist small quantity generators with its hazardous waste program; requiring matching funds of \$200,000 from the Refuse Collection and Disposal Fees Impound Account. (Chief Administrative Officer)

File 133-91-3, Resolution No. 382-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

Recommendations of Administration and Oversight Committee

Adopted

[Appointment]

Resolution appointing member to the Emergency Medical Care Committee, for three-year term ending June 30, 1993.  
(Administration and Oversight Committee)

File 92-90-12.1, Resolution No. 379-91

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(Kenneth Passamaneck, M.D., representing member of agency/community service organization serving the interests of senior citizens in San Francisco.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Appointment]

Resolution appointing member to the Hazardous Materials Advisory Committee, for the four-year term ending July 15, 1994 and waiving the residency requirement. (Administration and Oversight Committee)

File 92-90-14.2, Resolution No. 380-91

(Patricia H. Hiatt, representing Toxicologist, vice Frank J. Moycroft, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Appointment]

Resolution appointing member to the Emergency Medical Care Committee, for the three-year term ending June 30, 1992. (Administration and Oversight Committee)

File 92-90-22, Resolution No. 381-91

(Yuhum Digdigan, representing nurses, vice Elizabeth Carroll, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Appointment]

Resolution confirming Mayor's appointment to the Relocation Appeals Board, for the three-year term ending January 2, 1994. (Mayor)

File 33-91-5, Resolution No. 376-91

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(Patricia Aguayo, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Appointment]

Resolution appointing member to the Advisory Council to the Commission on the Aging, for two-year term ending March 31, 1993. (Administration and Oversight Committee)

File 92-91-2.3, Resolution No. 377-91

(Roberta E. Carter, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Appointments]

Resolution appointing members to the Animal Control and Welfare Commission, all public at large, terms expiring April 30, 1991, for the two-year term ending April 30, 1993. (Administration and Oversight Committee)

File 92-91-7.1, Resolution No. 378-91

(Debra M. Fila, vice herself; Stanley E. Mahy, vice himself; Mark Scott Hamilton, vice himself.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

The President reassumed the Chair.

Consideration Continued

[Appointments]

Resolution appointing members to the Cultural Affairs Task Force. (Administration and Oversight Committee)

File 92-91-12.1, Resolution No.

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(Public Arts/City Departments: Alice Lowe, Thelma Shelley

Large Budget Private: Keith Eickman, Joyce A. Moffatt,  
Jerry Allen

Mid-Size Budget: Marie Acosta-Colon, Herb Felsenfeld,  
Miriam Abrams

Small-Size Budget: Christina M. Augello, Idris Ackamoor,  
Woodrow T. Ichiyasu, Mark E. Rennie

Individual Artists: Rudy Lemcke, Alleluia Panis, Jon Jang,  
Genny Lim

Private Industry: Gerald P. Gutenstein)

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to continue consideration to May 6, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

#### Requests Granted

Supervisor Hallinan requested that the City Attorney be requested to clarify Resolution 229-91 concerning power of the named supervisors to appoint a representative to serve in his/her absence on the Cultural Affairs Task Force and to prepare legislation to increase the membership by adding seven at large positions.

No objection and request granted.

Supervisor Hallinan requested that the City Attorney be requested to prepare appropriate legislation designating the following seven persons to serve at large on the Cultural Affairs Task Force: Harry S. Parker, III, Director, Fine Arts Museums; Lillian Goldthwaite, Director, Dance Bay Area; Alma Robinson, Arts Administrator, California Lawyers for the Arts; Jeff Jones, gay arts activist; Quentin Easter, Lorraine Hansbury Theatre and Afro-American Arts Community; Juan Pablo Gutierrez, Mission Cultural Center and Latin-American Arts Community; Robert Wilhelm, Chairman, Convention and Visitors Bureau.

No objection and request granted.

[Appointment]

Resolution appointing member to the Cultural Affairs Task Force.  
(Administration and Oversight Committee)

File 92-91-12.2, Resolution No.

(Arts Related Labor Union: Shirley Breyer Black)

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Supervisor Hallinan, seconded by Supervisor Kennedy, moved to continue consideration to May 6, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Recommendations of Economic and Social Policy Committee

Passed for Second Reading as Amended

[Mandatory Use of Non-potable Water]

Ordinance amending Public Works Code, restricting the use of potable water for soil compaction or dust control activities and providing penalties and remedies for failure to comply with the provisions of Article 21; adopting findings regarding the effects of drought and the necessity to restrict the use of potable water for soil compaction and dust control activities. (Supervisors Migden, Britt, Shelley, Maher, Achtenberg, Alioto, Ward)

File 114-91-3, Ordinance No.

(Adds Article 21, Sections 1100-1107.)

Supervisor Migden, seconded by Supervisor Gonzalez, moved an amendment of the whole bearing same title as above.

Amendment of the adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Consideration Continued

[Water Conservation]

Ordinance amending Housing Code, to establish water conservation measures for existing residential buildings upon title transfer, major improvement, metering conversion, residential condominium conversion, or complete inspection and requiring compliance of certain multiple-family residential buildings within three years. (Supervisor Migden)

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File 114-91-5, Ordinance No.

(Adds Chapter 12A.)

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to May 6, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

From the Clerk

Adopted

[New Condominium Project]

Motion approving final map of Baycrest Towers, also known as 201 Harrison Street, being a resubdivision of Lot 16 in Assessor's Block 3767; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-15

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to adopting and imposing schedules of sewer service and industrial cost recovery charges to be paid by users for fiscal year 1991-92.

File 21-91-1

(Filed April 23, 1991.)

(Exempt from environmental review.)

The privilege of the floor was granted to the following persons:

Todd Cockburn;  
Dehnert Queen.



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From the Chief Administrative Officer

Adopted as Amended

[Sewer Service Charge]

Resolution adopting and imposing schedules of sewer service and industrial cost recovery charges to be paid by users for fiscal year 1991-92 pursuant to Part II, Chapter X, Article 4.1 and 4.2 of the Public Works Code; providing for a severability clause. (Chief Administrative Officer)

File 21-91-1, Resolution No. 365-91

(April 22, 1990 - Potential amendment of the whole presented by Supervisor Gonzalez, bearing same title which would lower the rate increase from 43 percent to 22 percent.)

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved the proposed amendment of the whole as shown above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;  
Joe O'Donaghue;  
Bob Cowan;  
Ace Washington;  
Thelma Humphrey.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of

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suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

The following two items were considered separately.

Referred to Committee

[Mount Zion Community Crisis Clinic]  
Resolution urging the Mayor to include full funding in the 1991-92 budget proposal to continue operating the Mount Zion Community Crisis Clinic on a 24-hour, 7-day per week basis, and urging the Mayor to urge the Health Commission to contract with the Mount Zion Community Crisis Clinic to continue providing 24-hour, 7-day per week emergency community psychiatric care services. (Supervisor Alioto)

File 100-91-4, Resolution No.

(April 22, 1991 - Introduced in Board for consideration on April 29, 1991.)

At the request of Supervisor Alioto, referred to City Services Committee to be considered at a special meeting on May 9, 1991.

Adopted

[State Legislation]  
Resolution supporting Assembly Bill 434, which provides local agencies with a long-term, stable funding source for programs to reduce air pollution from motor vehicles. (Supervisors Achtenberg, Shelley, Migden, Britt)

File 12-91-20, Resolution No. 369-91

(April 22, 1991 - Introduced in Board for consideration on April 29, 1991.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Ward - 8.

Absent: Supervisors Britt, Maher, Shelley - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

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Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-17, Resolution No. 366-91

(Willie B. Kennedy, member, Board of Supervisors, May 2 - 5, May 9 - 15 and June 6 - 9; Carole Migden, member, Board of Supervisors, June 6 - 9 and July 4 - 7; Sonia Bolanos, member, Redevelopment Agency, April 16 - 21; Marie Acosta-Colon, Trustee, War Memorial, May 8 - 10; Thomas J. Elzey, General Manager, Public Utilities Commission, June 9 - 12; Naomi Gray, member, Health Commission, April 17 - 18; Anne Halsted, member, Port Commission, April 17 - 19; Pierre Ludington, member, Health Commission, May 9 - 14; Molly Martin, member, Commission on the Status of Women, April 18 - May 20 and June 10 - 20; Joyce Ream, Executive Director, Commission on the Aging, May 2 - June 4, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional legislation submitted after preparation of the Calendar.)

[State Legislation]

Resolution urging passage of Assembly Bill 750 providing the financial incentive for the collection of thousands of tons of wine, liquor and noncarbonated waste containers, by adding them to the State's Beverage Container Recycling Program.

File 12-91-21, Resolution No. 370-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Howard Street, between Third and Fourth Streets, on Friday, May 3, 1991, from 6:00 p.m. to Saturday, May 4, 1991 at 7:00 a.m. for filming of a motion picture.

File 42-91-17, Resolution No. 367-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Contract]

Resolution authorizing the Department of Social Services to execute a hold harmless agreement with the State Department of Social

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Services for the State pass through of a wage supplement to selected individual providers of in-home supportive services for the period May 1, 1991, through November 30, 1991, for the purpose of assuring cultural, ethnic and language oriented services through community based organizations.

File 172-91-4, Resolution No. 384-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Residential Care Tax Exemption Report]

Motion directing the Budget Analyst to prepare a report on impact of specific tax exemptions for residential care facilities.  
(Supervisor Alioto presented.)

File 165-91-3

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Ward - 7.

Absent: Supervisors Achtenberg, Britt, Maher, Shelley - 4.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Reactivated by Supervisor Gonzalez

[Government Funding]

Ordinance appropriating \$140,000, Police Department, for judgment and claims for fiscal year 1989-90. (Reactivated by Supervisor Gonzalez pursuant to Rule 4.29 with request it be considered at the May 8, 1991 Finance Committee meeting.

File 101-89-70

[Towed Vehicles Revolving Funds]

Ordinance amending Administrative Code by adding Section 10.204 to establish a revolving fund to pay for tow charge refunds and disputed claims for towed vehicles. (Reactivated by Supervisor

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Gonzalez pursuant to Rule 4.29 with request it be considered at the May 8, 1991 Finance Committee meeting.

File 97-90-5

Referred to Committee

[Government Funding]

Ordinance appropriating \$22,764, Social Services Department, for child care in residential treatment programs. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 101-90-101

[Zoning Map Change]

Ordinance adopting changes in property height classification as an amendment to the Zoning Map of the City and County by reducing to a forty foot height limit property in the area bounded by the Embarcadero, Broadway, Battery and Green Streets. (Supervisor Maher presented.) Referred to Economic and Social Policy Committee.

File 36-91-3

[Grant Applications]

Ordinance amending Administrative Code by amending Section 10.170, to require all resolutions authorizing applications for grants indicate rates for reimbursement of indirect costs or the reason why the recovery of indirect costs cannot be included in the application. (Supervisor Migden presented.) Referred to Finance Committee with request it be considered at the May 8, 1991 meeting.

File 97-91-16.1

[Chlorofluorocarbon Recycling and Recovery]

Ordinance amending Health Code by adding Article 24, Sections 1401 through 1412, prohibiting the sale of small chlorofluorocarbon containers; prohibiting repair of motor vehicle air conditioning systems without a permit from the Department of Public Health and setting fees. (Supervisor Alioto presented.) Referred to Finance Committee.

File 118-91-3

[Stadium Operator Admission Surtax]

Ordinance amending Part III, Municipal Code, by adding Section 802A to impose a surtax on any operator or athletic contests, exhibitions and other special events in an amount equal to two and one-half percent (2 1/2%) of the price of each admission ticket sold for the right to occupy a seat or space in any stadium within San Francisco for such event; setting operative date of July 1, 1991. (Supervisor Hallinan presented.) Referred to Finance Committee with request it be considered at the May 15, 1991 meeting.

File 127-91-4

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[Permit Application Processing Priority]

Draft resolution urging the Mayor to urge the City Planning Commission to establish priorities for residential developments in permit application processing, to implement recommendations by the Budget Analyst and to implement the recommendations by Supervisor Ward after numerous meetings with the Planning Department. (Supervisor Hsieh presented.) Referred to Economic and Social Policy Committee.

File 189-91-1

[Embarcadero Open Space]

Resolution finding and determining that the publicly owned property in the vicinity of the Embarcadero between Broadway and Union Streets should be maintained as open space. (Supervisor Maher presented.) Referred to Economic and Social Policy Committee.

File 272-91-3

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that City Attorney prepare appropriate legislation which will allow water consumers in the City and County to receive credit for gallons of water conserved within their allotment, similar to a water use conservation plan used in San Jose called "banking".

By Supervisor Gonzalez, that letter be sent to Executive Director, Parking and Traffic Department, inquiring whether it is feasible to install a stop sign on Mission Street, between Ney and Trumbull Streets and if prohibited due to code restriction, what action can be taken to alleviate potential pedestrian hazard at this site.

By Supervisor Gonzalez, that letters be sent to General Manager, Recreation and Park Department, and Director, Animal Care and Control Department, requesting investigation of alleged mistreatment of animal at the Beach Chalet property.

By Supervisor Gonzalez, that letters be sent to Chief of Police, Director of Public Health and Executive Director, Parking and Traffic Department requesting investigation and report relative to excessive and unreasonable night noise, illegally parked vehicles, unlawful littering, speeding and reckless driving and unsanitary urinating and vomiting on sidewalks and front yards allegedly caused by the new restaurant/bar located on the northwest corner of Fillmore and Clay Streets.

By Supervisor Hallinan, that City Attorney provide opinion clarifying non-enforcement of Business and Professional Code Section 16102 providing fee exemption for honorary discharged veterans selling goods owned by them.

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By Supervisor Hallinan, that letters be sent to the San Francisco Giants, San Francisco 49ers and General Manager, Recreation and Park Department, transmitting copy of legislation concerning stadium operator admission surtax and advising them subject legislation has been referred to Finance Committee with a request to consider it at the May 15, 1991 meeting.

By Supervisor Kennedy, that letter of inquiry be sent to Executive Director, Parking and Traffic Department, concerning the timing of the signal lights on 19th Avenue, to determine whether the timing of the signal lights along 19th Avenue should or can be changed.

By Supervisor Kennedy, that City Attorney prepare appropriate legislation to prohibit mobile advertising of any tobacco and alcoholic products on any taxicab licensed by the City and County.

Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Garth E. Wall (Supervisor Britt)  
Tena Woods (Supervisors Kennedy, Ward)  
William O'Keefe Sr. (Supervisor Maher)

File 2-91-17

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:44 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

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Approved by the Board of Supervisors on February 3, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors























